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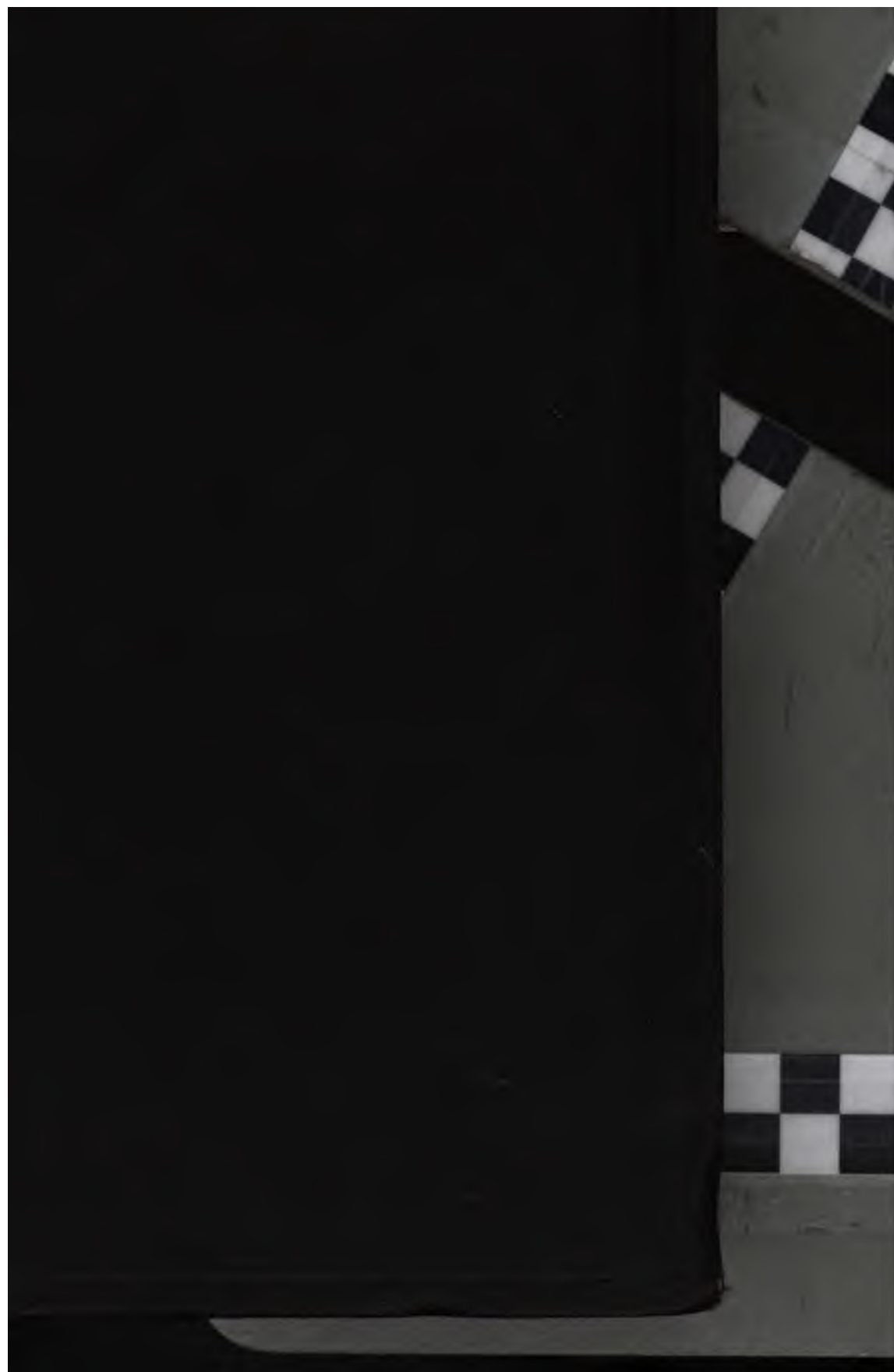
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PROCEEDINGS

OF THE

JOINT COMMITTEE OF THE LEGISLATURE

OF THE

STATE OF KANSAS,

APPOINTED AT THE SESSION OF 1891, TO INVESTIGATE THE EXPLO-
SION WHICH OCCURRED AT COFFEYVILLE, KANSAS,
OCTOBER 18, 1888.

TOPEKA.

KANSAS PUBLISHING HOUSE: CLIFFORD C. BAKER, STATE PRINTER.
1891.

RESOLUTIONS.

Whereas, It is alleged that on the 18th day of October, 1888, a package of dynamite or other deadly explosive was deposited in the office of the Pacific Express Company, at Coffeyville, Kansas, and directed to be sent to Winfield, Kansas; and

Whereas, The dynamite did explode while in the custody of H. M. Upham, and dangerously, and well-nigh fatally wounded two innocent women; and

Whereas, It is charged that a person is now in the employ of the State of Kansas who, it is charged, was implicated in a conspiracy against the lives and property of certain citizens of the State of Kansas; and

Whereas, It has been charged that the Republican State Central Committee was the instigator of this conspiracy to destroy the property, reputation, and possibly the lives of some of our people, for political effect; and

Whereas, It has been charged in certain prints, and on the floor of this House, that the aforesaid alleged crime has not been investigated in the courts of the State, by reason of the refusal of certain officers to perform their sworn duties; and

Whereas, Parties making such charges have withheld from the public all authority to make the same, and have used the information they claim to have for political effect, thereby making their pretended knowledge of crime a basis of political agitation instead of attempting to bring criminals to justice; therefore, be it

Resolved by the House of Representatives, the Senate concurring therein, That a committee of five on the part of the House and three on the part of the Senate be appointed to make a full investigation of all facts pertaining to this outrage, with a view that the guilty may be punished, the innocent vindicated, and the lives of the people protected.

Resolved, That said committee be empowered to compel the attendance of witnesses, the production of books, papers, and to administer oaths, examine witnesses, and employ a sergeant-at-arms and a stenographer, and that the testimony taken shall be printed, and that the said committee sit with open doors.

258038

COMMITTEE.

On the part of the Senate:

SENATOR C. H. KIMBALL.

SENATOR J. G. MOHLER.

SENATOR ED. CARROLL.

On the part of the House:

REPRESENTATIVE J. L. ANDREWS.

REPRESENTATIVE EZRA CAREY.

REPRESENTATIVE O. M. RICE.

REPRESENTATIVE C. N. BISHOFF.

REPRESENTATIVE C. C. VANDEVENTER.

REPRESENTATIVE M. SENN.

REPRESENTATIVE ST. W. CRUMLEY.

Sergeant-at-Arms, Mr. J. P. MALONE.

Clerk and Stenographer, Mrs. MAUDE SMITH.

[NOTE.—On the 23d day of February, 1891, Mr. Andrews resigned as a member of the committee on account of ill health, and was succeeded by Mr. Senn. On the 25th of the same month, Mr. Vandeventer resigned, and was succeeded by Mr. Crumley. Mr. Andrews, who had been elected chairman, of the committee, was, upon his resignation, succeeded in that position by Mr. Carey.]

REPORT.

TOPEKA, KANSAS, Friday, February 13, 1891.

Proceedings of the Joint Committee of the Legislature of the State of Kansas appointed to investigate the facts in relation to the explosion which took place at Coffeyville, Kansas, October 18, 1888.

The Committee met at Senate Committee Room No. 5. Present: Senators Kimball, Mohler, and Carroll of Leavenworth; Representatives Andrews, Carey, Bishoff, Vandeventer, and Rice.

On motion of Senator Kimball, Mr. Andrews was chosen chairman of the Committee. Mrs. Maude Smith was elected clerk and stenographer, and J. F. Malone was elected sergeant-at-arms of the Committee.

Senator Mohler moved that any member of the Committee should have the right to have subpoenas issued for such witness or witnesses as such member of the committee might desire to have in attendance upon the committee, which motion prevailed.

Senator Carroll moved that Senate Committee Room No. 5 be used as a place of meeting for the Committee; and that Senator Kimball be requested to secure permission of the Senate to use the room for that purpose. Carried.

Senator Mohler moved that the sessions of the Committee be held at Topeka instead of at Coffeyville or elsewhere, and that the witnesses be subpoenaed to attend the sessions of the Committee accordingly, which motion prevailed.

The following witnesses were named, and the chairman of the Committee was requested to issue subpoenas therefor, and place the same in the hands of the sergeant-at-arms of the Committee:

I. D. Highleyman.....	Chetopa, Kansas.
S. C. Elliott.....	Independence, Kansas.
O. P. Ergenbright.....	Independence, Kansas.
H. M. Upham.....	Coffeyville, Kansas.
Mrs. H. M. Upham.....	Coffeyville, Kansas.
Miss Mabel Upham.....	Coffeyville, Kansas.
N. M. Clifford.....	Coffeyville, Kansas.
Joseph McCreary.....	Montgomery Co., Kas.
Ed. P. Greer.....	Winfield, Kansas.
H. Vincent.....	Winfield, Kansas.
Henry Booth.....	Larned, Kansas.
B. S. Hutchins.....	Clay Center, Kansas.
E. S. Moore.....	Pueblo, Colorado.
Mary E. Lease.....	Wichita, Kansas.
S. H. Snider.....	Kingman, Kansas.
J. W. Rush.....	Kingman, Kansas.
H. H. Graves.....	Kingman, Kansas.
David G. Jones.....	Tecumseh, Kansas.

Thomas Archer.....	Topeka, Kansas.
A. J. R. Smith.....	Topeka, Kansas.
C. A. Henrie.....	Topeka, Kansas.
J. S. Sedding.....	Westmoreland, Kan.
Wm. Henry.....	Westmoreland, Kan.
W. R. Benton.....	Blaine, Kansas.
Ben. S. Henderson.....	Winfield, Kansas.
W. W. Cone.....	Topeka, Kansas.
S. W. Chase.....	Winfield, Kansas.
J. G. Cougher.....	Topeka, Kansas.
A. H. Weatherbee.....	Topeka, Kansas.
W. H. Marrs.....	Topeka, Kansas.

On motion of Senator Kimball, H. Vincent was requested to secure the attendance of Prof. C. Vincent, who is now in Michigan, and E. S. Moore, who is now in Pueblo, Colorado; and to that end was authorized to offer said witnesses compensation for their expenses in coming to this State, and their per diem and mileage within this State, if they would appear before the Committee.

Mr. Bion S. Hutchins was authorized to secure the attendance of Geo. W. Poorman, of Bellaire, Ohio, by making the same offer to him in regard to his expenses, per diem and mileage.

Committee adjourned, to meet at Senate Committee Room No. 5 on Tuesday, February 17th, at 2 o'clock P.M.

TOPEKA, Tuesday, February 17, 1891.

Committee convened pursuant to adjournment; all the members present.

Senator Mohler said in view of the fact that the bill which had been introduced by Senator Kimball at the request of the Committee, and which had been passed by the Senate but not yet been passed by the House, he would move that the Committee adjourn until 9 o'clock tomorrow morning.

Senator Kimball moved to amend by making the hour 9 o'clock A. M., and after some discussion as to the hour of meeting, the motion was withdrawn to enable Mr. H. Vincent to make a statement in regard to some additional witnesses.

Mr. Vincent said that he desired the attendance of Wm. M. Drugan and Thomas McCormack from Bellaire, Ohio.

Senator Mohler moved that Mr. Vincent be authorized to guarantee to the witnesses their traveling expenses in reaching this state, and mileage and per diem in this State, if they would attend before the Committee, which motion prevailed.

Mr. H. Vincent asked leave for himself and associates to be represented by an attorney before the Committee during the investigation.

Senator Mohler said that he did not think it would be necessary to have any attorney present.

Senator Kimball said that this investigation was political in its nature; that charges had been made by Mr. Vincent through his paper and otherwise that men high in the Republican party were responsible or accessory to this outrage. Others had charged the responsibility upon the members of a secret society known as Videttes; that probably Mr. Vincent had made these charges in good faith, and at least supposed that he knew and had some evidence to support them. He was therefore in favor of allowing him and his associates to be represented by an attorney.

Senator Mohler said that this was an investigation by and not before this Com-

mittee. That the members of the Committee were to act as investigators and not as judges.

Chairman Andrews said that it might be proper for them to act in both capacities.

Senator Kimball said that Mr. Vincent had charged that Henry Booth, at that time chairman, and Mr. Bion S. Hutchins, then secretary, of the republican state central committee, were responsible for the explosion; that Mr. Henrie, an employé of the state, was a party to it; and even Governor Humphrey was charged with being accessory to the crime; that this reflected not only upon the individuals but upon the Republican party; that he hoped and believed that there was no evidence in existence which would support these charges, but he was in favor of giving to the parties making them every opportunity of fully presenting all the evidence they had upon the subject; that no member of the Committee could examine a witness for Mr. Vincent as well as Mr. Vincent's attorney, who would be advised beforehand about what the testimony would be; so that he was in favor of allowing attorneys to be present.

Senator Mohler said that if attorneys were allowed to parties making these charges, the parties accused ought also to have attorneys to represent them.

Senator Kimball moved that the parties interested in the investigation on either side be permitted to be represented by an attorney or attorneys, and that the attorneys representing the parties, one on each side, be permitted to examine and cross-examine the witnesses, reserving to the Committee the right to examine any witnesses or to ask any additional questions; which motion prevailed.

Mr. Vincent presented a letter which was read to the Committee, and on motion of Senator Mohler, was directed to be spread upon the minutes, which motion prevailed. The letter was as follows:

SEDALIA, MO., February 12, 1891.

To the Speaker of the House, Topeka, Kansas—DEAR SIR: At the time of the dynamite explosion at Coffeyville, Kansas, I was engaged entirely in the detective business, and was Chief of the Texas International Service. I had at that time a trusted agent or correspondent at Coffeyville, who still lives there. Supposing that the matter would be fully investigated, at my request my correspondent began an investigation, which was continued until we ascertained that the authorities were more concerned in covering up the facts than in bringing them to light, when, as there was no chance to make anything out of the case, we abandoned it altogether for the time. I submit these facts for your consideration, and can refer to Adjutant General King, of Texas, by whom I was at that time commanded in the special Ranger service of Texas, thus giving me all the power of a sheriff in any county in Texas. Should you desire our services in fully investigating this matter—while I am no longer in the regular detective business—I could not refuse (were the compensation sufficient) to act for you to the best of my ability, in so just a cause.

Faithfully yours,

T. J. PARRISH,

1018 Massachusetts Avenue, Sedalia, Mo.

Senator Mohler moved that the stenographer be instructed to write a letter to T. J. Parrish, requesting him to disclose the name of his trusted agent at Coffeyville, to the end that he might be subpoenaed to appear before the Committee, and that said letter be signed by the chairman of this Committee officially and a copy retained and spread upon the minutes, which motion prevailed. The following is a copy of the letter:

TOPEKA, KANSAS, February 17, 1891.

T. J. Parrish, Esq., 1018 Mass. Ave., Sedalia, Mo.—DEAR SIR: Your letter of the 12th inst. to the Speaker of the House of Representatives has been handed to the Committee appointed to investigate the explosion which took place at Coffeyville, Kansas, to which you refer. It seems from the letter that you have no personal knowledge as to the facts, but only know them as they were communicated to you by your agent or correspondent at Coffeyville.

Will you kindly give us the name of this person in order that we may have him subpoenaed to appear before the Committee?

If you have any personal knowledge bearing upon the subject-matter under investigation, we would be glad to have you come before the Committee, and if you will advise us in regard to the matter, will let you know at once if your presence is desired.

Do not fail to send us the name of your correspondent at Coffeyville by return mail.

Respectfully yours,

J. L. ANDREWS, Chairman of the Committee.

Senator Mohler renewed his motion to adjourn until 10 o'clock to-morrow morning.

The motion was withdrawn, and a telegram submitted by Mr. Bion S. Hutchins was read to the Committee.

Motion made and carried, that the telegram be spread upon the minutes of the Committee. Telegram was as follows:

THE WESTERN UNION TELEGRAPH COMPANY.

[Printed matter.]

Received at 7:05 P. M., Topeka, Kansas, 2d, 12th, 1891.

Dated Bellair, Ohio, 15th. Cx. Cr. O. 1255C.

To HENRY BOOTH: Yes. When do you want me?

G. W. POORMAN.

Committee authorized Mr. Bion S. Hutchins to telegraph the witness to come at once.

Senator Mohler moved to adjourn until 9:30 o'clock to-morrow, which motion prevailed.

TOPEKA, KANSAS, Wednesday, February 18, 1891.

Committee convened pursuant to adjournment. All the members present, except Senator Mohler.

The chairman said the question was whether the Committee should proceed or not before the passage of the bill in relation to testimony before investigating committees.

Mr. Rice said that while he was anxious to proceed, yet he thought it would be an injustice to bring witnesses before the Committee under one rule to-day, and those that come afterward under another rule. He said he was very sorry that there had been this delay in the passage of the bill, resulting in thus delaying the Committee, but it seemed that it would be rather out of place to proceed under the circumstances.

Senator Kimball said that he agreed with Mr. Rice on that subject, and therefore moved that the Committee adjourn until to-morrow morning at 9:30 o'clock, which motion prevailed.

TOPEKA, KANSAS, Thursday, February 19, 1891—9:30 A. M.

Committee convened pursuant to adjournment. All the members present except Senator Carroll, of Leavenworth.

Mr. Andrews said that the question was whether the Committee should proceed with this investigation. He said that he thought there had been no agreement between the Senate and the House in regard to the passage of the bill in relation to evidence before investigating committees; that he would suggest, under the circumstances, that the Committee had better adjourn until 2 o'clock and see what will be done.

Senator Mohler said there could not be any action which would affect the question taken before 2 o'clock, and that the Committee had better adjourn until morning.

The chairman said a motion upon the subject would be in order.

Senator Mohler moved to adjourn until to-morrow morning at 9:30, and amended by Senator Kimball that the Committee adjourn to that hour after the reading and approval of the minutes of the preceding meetings, which motion prevailed.

The minutes of the preceding meetings of the Committee were then read, and on motion approved as read.

Mr. Hutchins stated to the Committee that a telegram had been received from Mr. Poorman that he could not come without twenty-five dollars was telegraphed him.

Senator Kimball said that it would be necessary to advance some money to carry on this investigation, and that it was a question where it was to come from.

After some discussion on this matter, Senator Mohler moved that Senator Kimball be requested to prepare and introduce a bill appropriating four hundred dollars to be used in paying such expenses as would have to be advanced by the Committee, to be drawn on the requisition of the chairman and countersigned by the chairman of the Committee on the part of the Senate, which motion prevailed.

After some discussion as to the best means of procuring the attendance of the witness Poorman, Senator Kimball said that if some person who knew Poorman would guarantee that if twenty-five dollars was sent to him, he would come, it would be better to send him the money.

Mr. Hutchins then stated to the Committee that he would guarantee that Mr. Poorman would appear and testify if the twenty-five dollars was sent to him; and that any *per diem* and mileage that might be coming to him as a witness should stand good for the guarantee.

Senator Kimball moved that, on the guarantee of Mr. Hutchins that Mr. Poorman would appear, the chairman be instructed to send Mr. Poorman twenty-five dollars out of any money that might be appropriated to pay the expenses of the Committee, which motion prevailed.

The question as to a supply of stationery for the use of the Committee came up, and the clerk was instructed to make out a requisition for such note-books, paper, carbons, etc., as would likely be needed for use of the Committee.

There was some discussion as to whether there should be a session of the Committee on Saturday or not, but no action was taken upon that question.

On motion, the Committee adjourned until 9:30 o'clock to-morrow morning.

TOPEKA, Friday, February 20, 1891.

Committee convened pursuant to adjournment. All the members present except Chairman Andrews.

On motion, Senator Carroll was elected chairman *pro tem.* of the Committee.

Inquiry was made as to the progress of the bill concerning testimony before investigating committees, and it was said that the House had appointed a new conference committee in reference to the differences existing between the two houses concerning this bill.

Senator Mohler said he was decidedly in favor of delay until the new conference committees had taken action in the matter, and then if they disagreed he would be in favor of proceeding.

Mr. Rice said that he was sorry that the delay had occurred, but for reasons which he stated, thought best that the Committee take no further action to-day.

Mrs. Lease made a statement to the Committee concerning her engagements which would interfere with her attendance before the Committee until the 26th or 27th inst. And there being no objection, upon her promise to be in attendance before the Committee on the 26th or 27th inst., she was excused until that time.

Senator Mohler moved that the Committee adjourn until Monday at 2 o'clock p. m.

Senator Kimball suggested that before the motion was put, all witnesses except Mrs. Lease should be instructed to be in attendance upon the Committee at 2 o'clock on Monday.

Chairman Carroll instructed the witnesses accordingly, and thereupon the motion to adjourn was carried.

TOPEKA, KANSAS, Monday, February 23, 1891.

Committee convened pursuant to adjournment. All members present except Messrs. Andrews, Rice, Vandeventer, and Carroll.

Mr. Carey announced that Chairman Andrews had resigned, on account of sickness, and that Mr. Senn had been appointed on the Committee on the part of the House, to fill the vacancy caused by his resignation.

Senator Mohler said to the Committee that as Mr. Andrews had resigned, and the Committee was left without a chairman, and as there is considerable work for a chairman to do, he would nominate Senator Kimball as chairman of the Committee.

Mr. Carey moved that Mr. Senn be appointed chairman of this Committee.

Senator Kimball moved that Mr. Carey be appointed temporary chairman of the Committee, until the Committee decide upon a permanent chairman.

The motion to nominate a permanent chairman was withdrawn.

Mr. Carey was elected temporary chairman of the Committee.

Mr. Senn moved that the election of a permanent chairman of the Committee be postponed until all the members of the Committee were present, which motion prevailed.

The minutes of the two preceding meetings were read and approved.

Senator Mohler moved that the Committee adjourn until 10 o'clock to-morrow, which motion prevailed.

TOPEKA, KANSAS, February 24, 1891.

Committee convened pursuant to adjournment. All the members present except Senators Kimball, Mohler, and Carroll.

Mr. Carey said it would be right and proper for all the members of the Committee to be present when the permanent chairman of the Committee is elected, and directed the sergeant-at-arms to see if the Senators absent could come immediately.

Senators Kimball, Mohler and Carroll appeared, and took their seats as members of the Committee.

Mr. Carey said that the next business before the Committee would be the election of a permanent chairman.

Mr. Rice said he would present the name of Mr. Senn.

Senator Mohler nominated Senator Kimball for permanent chairman of the Committee.

Senator Kimball said he was inclined to think there was some feeling as to who should be chairman of the Committee on the part of some of the members of the Committee, and he therefore declined to be a candidate for chairman.

Senator Mohler then nominated Mr. Carey for permanent chairman of the Committee, and on roll-call. Mr. Carey received four votes and Mr. Senn three.

Mr. Carey was declared duly elected chairman of the Committee.

Mr. Carey thanked the Committee for the honor, and said he hoped that he would be able to preside over the Committee fearlessly and justly, and that he should try and do so. He said that in this investigation, the lines would in many cases be drawn politically; that up to the fourth day of last November, he had been classed as an offensive partisan upon the Republican side; but since that time his

vote had been and in the future should be cast with the people who entertain views on some subjects different from those of the Republican party; but that on all subjects whether of party interests or of honor or duty, or where the people and not a party are to be benefited, he should exercise his best judgment and vote on non-partisan lines, and if all his actions or rulings did not meet with the approval of all the members of the committee, he hoped they would render to him all the sympathy and forbearance possible.

There were some statements made about the room being too small and not well adapted to the purposes of the investigation, and Senator Kimball said that he would see if the Supreme Court room could not be secured for the Committee.

Mr. Senn moved that five members of the Committee constitute a quorum.

Senator Mohler moved as an amendment, that a quorum of the Committee consist of not less than two members on the part of the Senate and three members of the Committee on the part of the House.

Pending the consideration of this motion, Senator Kimball reported that the Committee could have the use of the Supreme Court room for this week.

The chairman said that as the work of the forenoon would be largely preliminary, it would be better for the Committee to remain where it was until adjournment.

Senator Kimball moved that the witnesses be excused until 2 o'clock P. M.

Mr. Rice and Mr. Senn spoke in opposition to this motion.

Senator Kimball said that he made the motion at the request of Mr. Henderson, one of the attorneys for the parties who instituted this investigation; that Mr. Henderson had stated that he desired to hold a consultation with Judge Webb and some of the witnesses before the examination proceeded.

On roll-call, Senators Kimball, Mohler and Carroll, and Mr. Bishoff voted for the motion, and Messrs. Senn, Rice and Vandeventer against it. The motion prevailed.

The motion of Mr. Senn, and the amendment of Senator Mohler, as to the number which should constitute a quorum of the committee, were again considered.

After some discussion, the question, Senator Mohler's amendment, was voted upon, and was adopted.

The motion was then voted upon as amended, and was adopted.

Motion was made that the committee adjourn to meet at 2 o'clock this afternoon.

The chairman said that if there were no other arrangements, the committee would meet in Senate committee room No. 5; if otherwise, notice would be given.

The motion to adjourn prevailed.

TUESDAY AFTERNOON, 2 o'clock P. M.

The committee convened in the Supreme Court room; all the members present except Senator Carroll, who soon thereafter came in and took his seat.

Mr. Senn moved that the Committee proceed to taking the testimony in the case, which motion prevailed.

Mr. Henderson inquired if the Committee had agreed upon any plan of conducting the investigation. The chairman said that so far as he knew, the Committee had arrived at no understanding or agreement in reference to the matter.

Senator Kimball said he did not understand that there had been any affirmative action taken by the Committee upon this question; but that the members of the Committee would remember that at one of the first meetings the matter was informally discussed. He referred to his remarks upon that occasion, and said that he presumed parties that had made these charges supposed that they had some evi-

dence which would support them; that being the case, it would seem natural and proper to allow the parties making these charges to go ahead and introduce what evidence they have in support of them.

Mr. Rice said he recollected the informal discussion, and it was then decided this should be an investigation pure and simple, the aim of which should be to bring out all the evidence, whether in the matter of charge or refutation.

Mr. Carey said this investigation, if he understood it correctly, partook something of the nature of a criminal case, but the circumstances under which it was to be governed would, in some respects, be materially different. The object of a prosecution is to find certain parties guilty; of the defense, to prove them innocent; but in this investigation, it is not to prove any person innocent, but to ascertain if possible who was guilty; and if the evidence prove somebody to be guilty, then a prosecution might follow upon the basis of that evidence. He said that it would seem to him, therefore, that the persons who had been making these charges—or if charges were too harsh a word—complaints, should commence by introducing such testimony as they had to sustain them. The other side would then introduce its testimony, and then additional testimony might be introduced in rebuttal.

Senator Kimball said he concurred with the chairman in the matter, and therefore moved that Mr. Vincent and his associates, they being the parties who had made these charges, and those interested with him and sustaining them, be invited first to introduce their evidence in regard to the matter.

After some further discussion of the question and of the resolution under which the Committee was appointed, Mr. Henderson stated that they were ready to proceed in accordance with the motion.

Mr. Rice said that before taking a vote on that motion, he would like to inquire if the parties taking the initiative would have the right to introduce further testimony after they had rested, or after the other side had rested.

Senator Mohler said he understood there was no such thing as resting the case; that if this Committee desired to hear further evidence, the parties would be permitted to offer it at any time.

Mr. Carey said the committee was agreed that any testimony that was in any way competent would be received at any time, but that these questions could not all be decided in advance.

The motion was then voted upon, and prevailed.

The chairman then announced that the Committee was ready to hear the evidence in the case.

Mr. Henderson said we desire to first have Mr. and Mrs. Upham, Miss Upham, Mr. Snider, Mr. Elliott, and Mr. Ergenbright.

The witnesses named were then sworn by the chairman to testify the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation.

TESTIMONY.

Mrs. H. M. Upham, one of the witnesses named, was called, and testified as follows:

Examination by Mr. Henderson:

Q. You may state your name to the Committee? A. Mrs. H. M. Upham.

Q. Where do you now reside? A. In Coffeyville, Kansas.

Q. How long have you resided there? A. I went to Coffeyville and resided there for two years, and have resided there eight years recently.

Q. Do you remember where you were on the 18th of October, 1888? A. I was at home.

Q. Was that the day of this unfortunate explosion? A. Yes, sir.

Q. What time in the day did that occur? A. About half-past four, or near it, as near as I can remember.

Q. How long prior to the explosion did your husband come home? A. The first of the afternoon sometime; I do not know what hour.

Q. Do you remember how long he had been home? A. As much as two hours.

Q. Did he remain at home during that entire two hours and up to the time of that explosion? A. Yes, sir.

Q. Did you see him when he came home? A. Yes, sir.

Q. Did you observe any packages that he had at that time in his possession? A. No, sir.

Q. Do you remember where he was in the house when you first saw him? A. No, sir.

Q. Have you any distinct recollection of where and when you did first see him? A. No, sir.

Q. Do you remember of seeing him in what was called the summer kitchen? A. Yes, sir; passing back and forth.

Q. In order that the Committee may fully understand the situation, you may please describe the ground floor of your residence. A. The parlor was on the north, sitting-room on the east, dining-room next, and kitchen west, and the summer kitchen, south side of the house, roofed over and joined by a porch.

Q. Now was this summer kitchen used for any other purpose but kitchen during the summer? A. It was used as a laundry during the entire year.

Q. This explosion took place in this room? A. Yes, sir.

Q. Who was in the room at the time of the explosion? A. My daughter and myself.

Q. How long had you been in this room prior to the explosion? A. Not more than a minute.

Q. What object had you to go in the room at this time? A. To watch Mr. Upham develop a plate.

Q. He had been taking a picture? A. Yes, sir.

Q. Of whom? A. I do not recollect who.

Q. Did you go in there at his solicitation? A. Yes, sir.

Q. Where were you at the time he requested that you go into this room? A. Sitting at the sewing machine in the dining room.

Q. Your daughter was in the room with you? A. Yes, sir.

Q. Now state to the Committee, please, what was said to you in that room—to you and your daughter. A. Well, in substance, to watch Mr. Upham develop a plate.

Q. Had the plate been developed when the explosion occurred? A. No, sir; it did not have time.

Q. Where was Mr. Upham at the time of the explosion? A. He had just stepped out to get some water.

Q. Was there a dark room in this summer kitchen there? A. Yes; for the purpose of working with the photographic apparatus.

Q. He is an artist, is he not? A. Yes, sir.

Q. How long had he been in the house before the explosion occurred? A. I think about two hours—I think. He was in the habit of being at home, so did not notice how long he had been there.

Q. Had you any conversation with him at that time in reference to his position as express agent? A. No, sir.

Q. Did you hear him say anything after the explosion with reference to the cause of the explosion? Yes, sir.

Q. You may now state to the committee what it was he said? A. I heard him

tell Mr. Elliott that a box had been sent by express and he brought it to the house and it had exploded. My memory does not serve me, as I was not in a condition to remember.

Q. What Mr. Elliott do you refer to? A. Mr. D. Stewart Elliott, our neighbor.

Q. Is that all you remember was said at the time? A. Yes, sir; it was the first intimation as to the cause of this terrible explosion.

Q. Do you remember whether or not in that conversation Mr. Upham said where he had placed this box? A. Yes, sir.

Q. You may state to the Committee what he said in reference to this matter. A. He said he placed it in that dark room.

Q. Did he specially mention the place or part of the room in which he deposited the box? A. No, sir.

Q. Where was the explosion in reference to the room you have designated as the dark room? A. On the west side.

Q. And the dark room was on the east? A. It was on the west side of this room.

Q. Do you know the size of this room, Mrs. Upham? A. No, sir.

Q. Do you remember in what part of the room the door was? A. On the north side.

Q. Did the door swing in or outward of the dark room? A. It swung inward.

Q. To the right or to the left as you opened the door? A. To the left as you open the door.

Q. Then if I understand correct, the explosion was behind the door? A. Yes, sir.

Q. How near to the little room you have designated is the dark room? Very near.

Q. This box, if I understand you correctly, or rather the explosion, was in this room or summer kitchen and behind the door as you open it? A. The door swung back against a partition, so it could not be behind it but very near it.

Q. Well did you, at any time afterwards, have any conversation with your husband with reference to the cause of that explosion? A. I think so.

Q. After you got well? A. Yes, sir.

Q. You may state to the Committee what he said on that occasion? A. The same as he said before, that the box was left there.

Q. Did he describe the person that left the box there? A. Yes, sir.

Q. Did he upon the occasion I have just called your attention to? A. I do not understand you.

Q. As I understand you, you had a conversation with Mr. Upham after you recovered from the injury; upon that occasion did he give you a description of the person who had brought the box to him? A. Yes, sir.

Q. You may state to the Committee what he said upon that question? A. I think he said he was tall, and had black whiskers; that is about all I recollect.

Q. Did he tell you what that person said at the time? A. Yes, sir.

Q. Well, you may state what the person said at that time? A. That it was a box of medicine, and he wanted it handled very carefully.

Q. Was there anything said to you by your husband about any directions that were on the box? A. No, sir.

Q. Have you ever heard him say to any person what directions were on the box? A. No, sir.

Q. Did he ever tell you the name of the person who left the box with him? A. No, sir.

Q. Did he ever tell you where the box was to be sent? A. Yes, sir; Winfield.

Q. Did he ever tell you to whom the box was to be sent? A. No, sir.

Q. Did he at any time tell you? A. No, sir.

Q. Have you ever requested him to tell you the particulars concerning that affair? A. No, sir.

Q. Have you and he never conversed upon that matter since your recovery? A. Quite often.

Q. Now, do you tell the Committee, Mrs. Upham, that notwithstanding the facts that you have frequently conversed with him, that he has never pretended to tell you anything about the directions on the box? A. Not that I recollect; but my memory does not serve me right, as I was very sick.

Q. Since your recovery, has he made no statement to you in relation to that particular fact? A. I think not.

Q. Then may I understand that at no time he has explained to you the facts surrounding that occurrence? A. Yes, sir; explained as much as I cared to know.

Q. You never asked him, did you, for whom the box was intended? A. No, sir; all that he has ever told me of the person that left the box with him was that the man had black whiskers, and the box was to go to Winfield.

Q. Is that the substance of what he told you? A. Yes, sir.

Q. Did he tell you the size of the box? A. No, sir. I think I saw the box; he brought the box home at dinner.

Q. What did he do with the box? A. Set it down inside of the dark room.

Q. Did he say anything to you at that time as to the reason why he brought that box home? A. No, sir; he did it so frequently that he did not say.

Q. Did he state it was express matter? A. No, sir; I presumed it was.

Q. Did you notice the size of the box? A. It looked about the size of an ordinary starch box.

Q. Did you observe any directions? A. No, sir; I did not read the directions.

Q. Did he pretend to tell you at that time what the box contained? A. No, sir.

Q. Did he go immediately into the dark room, or did he go through the house?

A. He passed into the laundry without passing through the house.

Q. Then he could get into the laundry without passing through the house? A. Yes sir.

You knew at the time, Mrs. Upham, where the express office was? A. Certainly.

Q. What building was it in? A. The building known as the McCoy building.

Q. What direction was your house from the express office? A. Southwest.

Q. How far was your residence from the Pacific Express office? A. About two blocks.

Q. Directly north? A. Yes sir.

Q. And a little west? A. Very little.

Q. Your residence is two blocks south of the depot? A. Yes sir.

Q. The building in which Mr. Upham held his office is northeast of your residence? A. Yes sir, nearly one-half mile, I should judge.

Q. Do you remember the number of blocks? A. No, sir, I do not know.

Q. The explosion that took place was inside of this dark room? A. Yes, sir.

Q. You never saw the box after the explosion? A. No, sir.

By Chairman Carey: Q. You say that this was an ordinary starch box? A. I said a little larger than a starch box.

Q. Then there are different sizes? A. This was about the size of a five-pound box.

By Mr. Daws: By permission of the Committee, I would like to ask a few questions.

Q. If I understand you correctly, Mrs. Upham, this explosion occurred about a minute after you went into the dark room? A. Yes, sir.

Q. What had been done in the dark room prior to the explosion? A. Began to develop a picture.

Q. Will you tell the Committee what he was doing? Just tell the Committee the process. A. There was a pan with a solution in it and the plate laid in it, and back of it was this lamp.

Q. Was it a lantern or a lamp? A. It was a piece of tallow candle behind a red glass.

Q. It was not simply a piece of red paper he had slipped down over it? A. I can't recollect, but it occurs to me it was red glass.

Q. Then after preparing this solution, Mr. Upham left the room? A. Yes, sir.

Q. How long after he left the room did the explosion take place? A. He had not more than got outside.

Q. Did he use any other chemicals on the plate except place it in the solution? A. That was all.

Q. Had he been at work in this dark room when you were not there? A. Yes sir, he had been at home two hours.

Q. Did you know when he prepared the bath? A. No, sir.

Q. Had he been engaged in this business some time, taking pictures? A. No, sir, it was something new.

Q. How many pictures had he developed in this dark room prior to this time? A. I don't know.

Q. Did you never watch him develop a plate before? A. No, sir.

Q. And you don't recollect whose picture it was? A. No, sir.

Q. Did you know when the picture was taken? A. —.

Q. Did you see the box when you went into the dark room? A. No, sir.

Q. You never did see it in that room? A. No, sir.

Q. All you know about there being a box is what he told you? A. I saw him carry it in there.

Q. Did you notice the portion of the dark room he placed it in? A. No, sir.

Q. Then you are only judging from what he told you? A. Yes, sir.

Q. And it was placed there about noon? A. Yes, sir.

Q. Had you been in the dark room during the forenoon? A. No, sir.

Q. Was there any sound of warning prior to the explosion? Did you hear any noise? A. Yes, sir; I heard a hissing noise.

Q. How long did that noise last? A. About a half of a minute.

Q. Do you mean a half of a minute? A. Perhaps a second, just a moment.

Q. Well, then, after that you did not know anything about it for some time?

A. No, sir; I think I was knocked insensible.

Q. Was this building repaired before you were able to use it? A. Yes, sir.

Q. After the explosion, when did you first have a conversation with your husband? A. When he came to pull me out of the wreck.

Q. Did he say anything of what the explosion was? A. Not at the time, I think.

Q. Well, when was it? A. When I was carried into the room in which I was laid.

Q. And that was when he said it was an explosion of that box? A. Yes, sir.

Q. And who was present at that time? A. The room was full; he said it to Mr. Elliott; I do not remember who was present.

Q. When was it that he gave you a description of the party who left it there?

A. Why, I do not know just when, afterwards.

Q. Several days after the explosion? A. Yes, some time after.

Q. Could you give the Committee about the time it was? A. No, sir.

Q. Was it a week, day, or month? A. It was a week or so.

Q. Who was present when he told you? A. Only we two, he and I.

Q. Was it before he went east? A. Yes, sir.

Q. How long before? A. I can't tell.

Q. Did you have more than one conversation prior to his going East? A. I do not remember.

Q. You saw him frequently? A. Yes, sir; why, certainly.

Q. How long did he remain home after the explosion before he went east? A. It was just about Christmas when he went east.

Q. This was about the 18th, and he went east Christmas? A. Yes, sir.

Q. How long did he remain away? A. About ten days, I think.

Q. About ten days? A. Yes, sir.

Q. Then all conversation you had with him was after he returned home? A. Yes, sir.

Q. He went back soon after? A. Yes, sir.

Q. How long did he remain away then? A. He remained away all summer; I went to him in April.

Q. He went east and returned, and then went right back? A. Only stayed over one night.

Q. And then you went to him in April? A. Yes sir.

By Senator Kimball: Q. You say, Mrs. Upham, that when your husband returned to Kansas from the east that he only remained over night? A. Yes, sir.

Q. And then returned to the East? A. Yes, sir.

Q. Where were you at the time? A. In Coffeyville.

Q. At whose house? A. My own.

Q. Was your daughter Mabel with you? A. Yes, sir.

Q. At what time in the day did he get to Coffeyville? A. At night.

Q. And stayed there over night, and started back the next day? A. Yes, sir; if I remember right.

Q. What time of the day did he start back? A. In the morning; I think he returned Friday evening and left Sunday morning; I think he stayed one day and two nights.

By Mr. Henderson: Q. Mrs. Upham, what part of this dark room were you in at the time of the explosion? A. The south end of it. It was a very small affair; barely three people could get in it.

Q. Was it as long as this table? A. It don't seem to me that it was.

Q. Was it as wide as half the length of this table? A. Just about, I should think.

Q. How many yards long was it, Mrs. Upham? A. I have no idea.

Q. Have you any idea as to its width in yards? A. I have no idea.

Q. When did your husband go East first? A. I do not recollect the day, but I know it was about Christmas.

Q. Did you know the purpose for which he went East? A. To obtain a position, that we might move East.

Q. Was he keeping the position as express agent at Coffeyville at the time he went East? A. He resigned before he went.

Q. How long before he went? A. I do not remember.

Q. How long was he gone East before informed by him that he had obtained the position? A. I do not recollect.

Q. Do you remember whether it was weeks or months? A. It seems to me only a few days.

Q. Did he inform you what position he had obtained? A. Yes, sir; position as express agent at Lewiston, Maine.

Q. When was it, now, that he returned home? A. As near as I can remember, he was gone ten days.

Q. When did he go back East to take charge of the position he had obtained? A. That would bring it in January.

Q. When did you next see him? A. In April, in New York. He came to New York to see me.

Q. How long had you been in New York when he came to see you? A. I arrived in New York on Thursday, and he came on Sunday to see me.

Q. How long did you remain in New York? A. Until May.

Q. How far was that from Lewiston? A. I don't know how far; about two hours' ride.

Q. What sized place was Lewiston? A. A large city.

Q. Well, do you know about what was its population? A. No, sir.

Q. What was the size of this city, with reference to the size of Portland, Maine? A. Portland is larger than Lewiston.

Q. How long did he remain in Lewiston in business? A. Until we left there the first of September.

Q. This last September? A. No, sir; a year ago last September.

Q. Has he been in Coffeyville since that time? A. He came to Coffeyville the first of October, and has been there since.

Q. And still residing there? A. Yes, sir.

Q. In what business is he? A. Express messenger.

Q. How long has he been in that business? A. Since last October a year ago.

Q. For what express company, if you know? A. Pacific Express Company.

Q. For what express company was he working at Lewiston? A. It was called—I don't remember.

Mr. Dawes's question: Was it the New England Despatch Company? A. Yes, sir.

Q. You say he frequently brought packages home while he was agent at Coffeyville? A. Yes, sir.

Q. Well, now, where did he usually place these packages? A. In that laundry room.

Q. This dark room? A. Yes, sir.

Q. How long had it been there? A. Not more than two hours.

Q. How long before that did your husband first commence to try to take pictures? A. Well, he was East that summer, and it was while he was East that he learned it, and he had been home three weeks.

Q. And he brought all his photographic instruments and chemicals with him? A. Some he brought, and some he had sent after he came home.

Q. Do you know what they consisted of? A. I have no knowledge.

Q. Where were they all stored? A. In the laundry.

Q. In the dark room? A. Yes, sir.

Q. Did you see him take them into the dark room? A. I saw him take them into the dark room. He was in the laundry and I could not see in the laundry.

By Mr. Mohler: Q. What did you say as to ever seeing it in the dark room after that time? A. I did not see it in the dark room.

Q. I am not in the starch business, so could you tell me the size of the box? A. No, sir, I cannot.

Q. It was very noticeable? A. Yes, it was very noticeable.

Q. Was it a wooden box? A. Yes, sir.

Q. About eight inches by ten, or nine by twelve? [A piece of paper about nine by twelve inches is held up to the witness, and she thinks the box was fully as large as that.]

MISS MABEL UPHAM, having been duly sworn, was called as a witness, and testified as follows :

Examination by Mr. Henderson : Q. State your name to the Committee. A. Mabel Upham.

Q. Where do you reside. A. Coffeyville, Kansas.

Q. Do you remember the eighteenth day of October, 1888? A. Yes, sir.

Q. Do you remember of seeing your father when he came home at noon that day?

A. No, sir.

Q. Where were you at noon, if you remember? A. I think I was returning home from school.

Q. Was your father at home when you returned from school? A. I do not remember.

Q. Do you remember of seeing him in the laundry room before dinner that day?

A. No, sir.

Q. Do you remember of hearing him saying anything about bringing to the house a box? A. No, sir.

Q. Was there anything said at the noon hour? A. Not that I heard.

Q. In your presence? No, sir.

Q. What time did you return from school that afternoon? A. At four o'clock.

Q. Had your father gone to his office after dinner, before you had started for school? A. Yes, sir.

Q. Do you remember what time of the day it was that he started for the office after dinner? A. I don't know, but I think about one o'clock.

Q. Did you leave him at home when you went to school? A. I think so. I saw him at dinner, and I went to school at one.

Q. Now, when did you next see him? A. After four o'clock, when I returned from school.

Q. Where was he then? A. He was in the house, I think; he was in the house or the laundry room, I do not remember.

Q. Do you remember going into the laundry room that afternoon? A. No, sir.

Q. Did you go in there more than once after you returned from school? A. Yes, sir.

Q. Who was in the laundry room when you went in first? A. No one.

Q. How long did you remain in there? A. Quite a little while.

Q. Your father was not in there at the time? A. No, sir.

Q. Do you know where he was? A. No, sir.

Q. Was that immediately after you had returned from school? A. Yes, sir.

Q. Now, you say you remained in there quite a little while; about how many minutes were you in there? A. About two or three minutes. I went in there to find a rope to fix a little dog of mine.

Q. Had you been in the house then—that is the main part of the house—before you went into the room and after you returned from school? A. Yes, sir.

Q. Do you remember whether your father was in the house at the time or not? A. No, sir.

Q. Have you any recollection of seeing him before you went into the laundry room the first time after you returned from school? A. No, sir.

Q. When do you remember of seeing him the first time after you returned from school? A. When I passed through the shed the second time.

Q. Where was he then? A. He was then in the porch that was roofed over.

Q. What was he doing there? A. He was talking to mamma.

Q. Did you hear the conversation between him and your mamma? A. No, sir.

Q. Did you pay any attention to anything that was said? A. No, sir.

- Q. Then you are unable to state what they were talking about? A. Yes, sir.
- Q. When did you next see him? A. When I went in to see the plate developed.
- Q. Did he request you to come in and see it developed? A. Yes, sir.
- Q. Where were you when he requested you to come into the laundry room? A. I think I was in the yard.
- Q. Where was he? A. He came to the porch and called me.
- Q. Where was your mamma, if you know, at that time? A. I don't remember.
- Q. Was you mamma in the laundry room when you went in there? A. Not that I noticed.
- Q. Did your father go in with you? A. Yes, sir.
- Q. How long were you in there before your mamma came in? A. Just a short time.
- Q. What was your father doing at the time your mother entered the room? A. I don't know.
- Q. Where were you standing with reference to the door at the time your mother entered the laundry room? A. I was standing in the shed.
- Q. Was your father in the dark room at that time? A. No, sir.
- Q. Where was he? A. He was in the shed.
- Q. What was he doing? A. I don't know. He was working around.
- Q. Do you remember anything that was said at that time? A. No, sir; except that I told him I had to do an errand.
- Q. Do you remember of anything that was said there between your father and your mother as to her going in the dark-room? A. He said he wanted her to go in there to see him develop a picture.
- Q. Now, then, did you all three go into the dark-room at that time? A. Yes, sir.
- Q. Who was in advance? A. I do not know; myself, I think.
- Q. You entered the room first? A. I think so.
- Q. Who next? A. I think my mother.
- Q. And your father last? A. Yes, sir.
- Q. Now what did he do when he went into the dark-room? A. He put a picture in a pan of solution.
- Q. Then what did he do with that picture? A. He told us to watch it.
- Q. Did he remain in the room then? A. He went out to get a bucket of water.
- Q. Did he say he was going to get a bucket of water? A. Yes, sir.
- Q. How far is the well from this laundry room? A. About six feet.
- Q. In what direction—north, or south, or east of the house? A. East of the house.
- Q. It is between this porch or entrance between the laundry room and the main building? A. Yes, sir, east of the house.
- Q. How long had he been out of this room before the explosion occurred, in your judgment? A. I do not know.
- Q. About how long? A. Four or five minutes.
- Q. Did you hear him on the outside doing anything? A. I heard him drawing water.
- Q. What kind of convenience had you at that time for drawing water? Was it a windlass or did you have a pump? A. It is a cistern with a handle that turns round.
- Q. Did you hear him drawing water? A. Yes, sir.
- Q. Did you see him any more after he had left the dark room and before the time of the explosion? A. No, sir.
- Q. Then, as a matter of fact, you have no knowledge as to his whereabouts as to the time of the explosion? A. I could not see him.
- Q. Now, was he at work pumping water at the time of the explosion? A. The last I remember he was pumping water.

- Q. He was pumping water at the time of the explosion? A. Yes, sir.
- Q. How long were you confined to your bed and room from the injuries received upon that occasion? A. I do not know.
- Q. Do you remember when you recovered? A. In April—so that I could walk on crutches.
- Q. Are you able to describe to the committee about the size of that dark room? A. No, sir.
- Q. What part of the room—of this dark room—was this pan of water, or solution, that your father was working with on these pictures? A. He has shelves on the south side of this room.
- Q. And it was there he was at work? A. Yes, sir.
- Q. When you went in there did you observe this box your mother has testified about? A. No, sir.
- Q. You did not observe it? A. No, sir.
- Q. Your attention had not been called to that fact? A. No, sir.
- Q. After you had recovered did you have any conversation with your father, or did you hear him, in conversation with anyone, stating or giving any description of this box in question? A. No, sir.
- Q. Did you never hear him or your mother talking about this matter? A. Yes, sir.
- Q. Did he describe the box to her? A. Not that I remember.
- Q. You may state to the committee what was said in this conversation? A. He said a man came to the office and left a box.
- Did he describe the man? A. I think he told mamma he was a tall man with black whiskers.
- Q. Did he state what name the man gave? A. No, sir.
- Q. Did he state what directions, if any, were on the box? A. No, sir.
- Q. Did he state where the box was to be sent by express? A. Yes, sir.
- Q. Where? A. Winfield.
- Q. Did he state to whom the box was to be sent? A. No, sir.
- Q. Do you remember when he first made this statement that that explosion had been caused by the box that had been brought to the house by your father, to be expressed to Winfield? A. No, sir.
- Q. You have no recollection when you first heard it? A. No, sir.
- Q. Did you ever hear that at all? A. No, sir.
- Q. Is this the first time that you ever heard that this explosion was from the box left in the house by your father? A. I knew it was it that exploded.
- Q. Did you know the cause of the explosion? A. No, sir.
- Q. Did you ever hear any explanation given by your father or any one else as to the cause of the explosion? A. No, sir.
- Q. Was the matter of express packages in that connection ever talked of in your presence? A. No, sir; I never cared about it.
- Q. You never heard from any source? A. No sir. That was only a matter of business of my father's.
- Q. You were seriously injured in that explosion, were you not? A. Yes, sir.
- Q. And you were confined to your room several months? A. Yes, sir.
- Q. Were you insensible immediately after the explosion? A. Awhile.
- Q. How long? A. I don't know.
- Q. Were it in hours, or days, or weeks? A. The first I remember was I asked some one what time it was, and they told me it was 6 o'clock, and I asked what day, and they said Saturday.
- Q. Now what day of the week was it this explosion occurred? A. It must have been Friday.

Q. Well, now, didn't anyone attempt to explain to you, Miss Mabel, what it was that caused the injury with which you were at that time suffering? A. No, sir; not that I remember.

Q. Did you ever ask anyone to explain it to you? A. No, sir.

Q. Did your father never tell you? A. No, sir.

Q. Didn't you never ask him what it was that injured you? A. No, sir.

Q. You never asked anyone? A. No, sir.

Q. Did you hear anyone say in your presence at all? A. I heard them talking about it.

Q. When did you first obtain that information, or when did you first hear this statement made? A. I do not know.

Q. It was some weeks after you had been injured? A. I suppose so.

Q. Do you remember what was said or stated as the cause of that injury? A. I do not remember now.

Q. You tell the Committee that you now have no recollection of what statements were made as to the cause of your injuries? A. Yes, sir.

By Mr. Dawes: Q. When did you first learn in any way that there had been an explosion? A. I do not know.

Q. Well, you learned it before to-day? A. Yes, sir.

Q. How long ago did you learn there was an explosion? A. A week or so after I was hurt.

Q. How did you learn it at that time? A. I heard it talked about.

Q. Who did you hear talking about it? A. I do not remember.

Q. Could not remember any one? A. No, sir.

Q. Did you hear your father talking about it? A. No, sir.

Q. When do you first remember of hearing him say anything at all about it? A. I do not remember.

Q. Did the doctor who attended you talk to you about it, and explain it to you? A. No, sir; I was too sick to care about it.

Q. Do you remember, when you recovered, when you were not too sick to care about it? Do you remember of talking to anyone about it? A. Yes, sir.

Q. Who did you talk to about it? A. Ladies.

Q. Ladies that called there to see you? A. Nurses, and those who took care of me.

Q. And did they explain to you how you were injured, and what was the cause of it? A. Yes, sir.

Q. Did you ever see this box that it is claimed was brought there to your father? A. No, sir.

Q. As far as you know, there never was a box? A. Yes, sir.

Q. You did not see it when you went into the dark room? A. No, sir.

Q. Well, do you remember now in what portion of the room that explosion seemed to take place? A. In the southwest corner of the room.

Q. Well, now, this little dark room was in the southwest corner of the laundry room? A. Yes, sir.

Q. In what part of the dark room did the explosion take place? A. I do not know.

Q. Do you remember of hearing any report or any noise of the explosion? A. Yes, sir.

Q. Did you hear a report? A. Yes, sir.

Q. Could you locate what portion of the room this report was? A. I do not remember.

Q. You did not notice? A. No, sir.

Q. Do you remember what portion of the room the explosion seemed to take place? A. I do not remember.

Q. What time did you come home from school that day? A. Four o'clock.

Q. Did you hear anything immediately preceding the report of which you speak?

A. No, sir.

Q. No noise of any kind? A. No, sir.

Q. You just remember of hearing the report of the explosion? A. Yes, sir.

Q. Now, what time did you get home from school? A. Four o'clock.

Q. Did you see your father at that time when you came home? A. Not that I remember.

Q. How long after you came home was it that you went into the laundry room?

A. About five minutes.

Q. Did you see your father in there? A. No, sir, I did not.

Q. Do you know where he was? A. No, sir.

Q. You had gone into the sitting or living room proper, and he was not there?

A. No, sir.

Q. Then you went into the laundry room? A. Yes, sir.

Q. And he was not in there? A. No, sir.

Q. Did you see him come to the laundry room? A. No, sir, I went out into the yard.

Q. Where did you go to? A. I went out into the yard to play with my little dog.

Q. You did not know where he was at that time? A. No, sir.

Q. Was he in the dark room? A. He might have been, but I did not see him.

Q. And did not hear him, either? A. No, sir, I just rushed through.

Q. Were you present when your father was preparing the chemicals for the purpose of developing that picture? A. I was at home, but I was in the house.

Q. How much of this liquid bath did he have in the pan? A. I don't know.

Q. You saw him put the plate in that bath? A. Yes, sir.

Q. How large a pan was it? One he got on purpose for the photograph business? A. Yes, sir; a square pan.

Q. Well, was it a foot square? A. No; sir.

Q. Slightly longer than this pencil? A. I suppose so, if I remember right.

Q. And how wide? A. Very nearly square.

Q. How much of this bath was there, and how deep was it? A. Not very deep, for the pan was shallow.

Q. Half an inch deep? A. O, no.

Q. Enough to cover over the plate? A. Yes, sir.

Q. Did you watch the process of developing the plate? A. Yes, sir.

Q. Do you know whether, after dipping the plate in the bath, he poured anything on the plate? A. No, sir.

Q. Do you know whether he used any other chemicals or not? A. I do not know whether he did or not.

By Mr. Henderson: Q. Miss Mabel, you stated a few minutes ago that you were at home at the time your father prepared this solution, or wash, for these pictures? A. I did not know where he was, but I came home at four o'clock, and was in the yard.

Q. You do not know when your father made this preparation? A. No, sir.

Q. You do not know where he was when you came home from school? A. No, sir.

Q. The first time you remember of seeing him was when he came to the door to call you. A. Yes, sir.

By Mr. Dawes: Q. Had you ever gone in and watched the development of a picture before? A. No, sir.

Q. How long before the date of the explosion was it that this dark room was built? A. I do not know, sir.

Q. A week, two weeks, or a month? A. I do not remember.

Q. Do you know whose picture it was being developed? A. I think it was some out-door picture.

Q. Some outdoor picture. A. I think so.

Q. Had you sat for a picture that day? A. No, sir.

By Mr. Henderson: Q. Did your father take your picture at noon that day? A. I do not think that he did.

Q. Had you ever sat for him to take your picture? A. Not that I remember.

Q. You have no recollection of that at all? A. No, sir, I have no recollection.

Q. You have no recollection of talking to your father about the matter since you have recovered? A. No, sir.

Q. How long have you been in the city of Topeka? A. Since last Friday.

Q. Where have you been boarding. A. At Mrs. Taylor's.

Q. Are you acquainted with Mr. Hutchins, Bion S. Hutchins? A. Since I came here.

Q. Have you met him and had frequent conversations with him? A. No sir; only when I came to the state house.

Q. You have met him frequently? A. No, sir.

Q. Did he ever come with you? A. I believe he walked up from the corner with me the other day, the first time we came, I think.

Q. Do you remember who introduced you to Mr. Hutchins? A. My father.

Q. Did you have any conversation with him after your introduction? A. Not that I remember.

Q. Did you ever have any conversation with him in reference to the testimony to be given here? A. Not that I remember.

Q. Didn't he talk something to you about that explosion at your house? A. He might have; I do not remember.

Q. You tell the Committee you have no recollection of any such conversation? A. Yes, sir.

By Mr. Dawes: Q. Now, I want you to tell the Committee whether Mr. Hutchins, in any way, shape, or manner, suggested anything in regard to how you should testify before this committee.

Mr. Henderson objected to the question as improper in form, and said that he had asked the witness no question which would make such a question as this proper. After some discussion the chairman decided the question proper, and ruled that the witness should answer.

A. None whatever.

There was some further discussion as to the competency of this testimony, whereupon the witness stated: "I misunderstood the question."

By Mr. Henderson: Q. What question was it you misunderstood? A. The question that you asked me if Mr. Hutchins had said anything to me about how I should testify. That is the question I did not understand, and I answered it "no."

Q. The question was, if you had formed the acquaintance of Mr. Hutchins here in Topeka, and has he talked with you in relation to the subject-matter of this investigation? A. No, sir.

Q. Has he said nothing to you at all in relation to the matter? A. No, sir. He had talked to me about how I was injured. He asked me if I was injured by it, but nothing as to how I should testify. He asked me if I was well now. That is all I remember.

Q. Is that all he said? A. All I remember.

H. M. UPHAM, having been duly sworn, testified as follows :

Examination by Mr. Henderson : Q. State your name to the Committee. A. Henry M. Upham.

Q. Where do you reside, Mr. Upham. A. Coffeyville, Kansas.

Q. How long have you resided in Coffeyville. A. About eleven years, altogether.

Q. You resided there on October 18, 1888? A. Yes, sir.

Q. What business were you engaged in at that time. A. Agent for Pacific Express Company.

Q. How long had you been serving in that capacity? A. A little over two years. I think I took the office in September. About two years or a little over.

Q. How far was the office from your residence? A. About three thousand feet.

Q. In what direction was the house from the office? A. It was southwest.

Q. Now, how far and in what direction is the Missouri Pacific depot from your house? A. About nine hundred feet southwest of my house, on the same street, but on the opposite side, so that it would be just a trifle west of south.

Q. Your house is between the office and the Missouri Pacific depot? A. Yes, sir.

Q. You remember, of course, the explosion that occurred at your house on the eighteenth day of October, 1888? A. Yes, sir.

Q. Do you know what it was that caused the explosion? A. No, sir.

Q. Where or in what part of the house did the explosion take place? A. In the laundry or summer kitchen, as it is sometimes called.

Q. Did you have a dark room there? A. I had constructed a little dark room in the corner.

Q. In what part of the building was that little dark room? A. It was in the southwest part of the summer kitchen.

Q. Where was it, now, that the explosion took place? A. In the dark room.

Q. What was in the dark room? A. This box.

Q. What box? A. This box that I brought from the station.

Q. What else was in this room? A. Two or three shelves and on these some chemicals that I had placed there, and that is about all that I remember.

Q. Was that all? A. Yes, about all. There might have been some stray boxes.

Q. What chemicals were there in there. A. There were some chemicals to develop a plate.

Q. Well, what were they? A. Pyrogalic acid, sulphite of sodium, carbonate of soda.

Q. Is that all of the chemicals you had in there? A. Yes, sir.

Q. Were they in separate bottles? A. The dry powders were in separate bottles, and the solution had been mixed of pyrogalic acid and water enough to flow over the plate.

Q. When did you make this solution? A. I made it after I came home from town.

Q. That afternoon? A. Yes, sir.

Q. How long before this explosion occurred? A. It was about half an hour.

Q. Well, was there anything in that solution that would cause that explosion? A. No, sir.

Q. Was there anything in any of the chemicals that would produce it? A. No, sir; water forms four fifths of the solution, and a few grains of pyrogalic mixed with water.

Q. Now describe that box, Mr. Upham, that you took up home with you? A. It is a cube of eight inches; about eight inches each way.

Q. What kind of a box was it? A. It was a half-inch pine box, with inch boards at the ends.

Q. Where did you obtain that box? A. At my office.

Q. What time of day? A. About 11 o'clock.

Q. What were you doing when the box was brought to your office. A. I was sitting at my desk; I do not remember what I was doing.

Q. Who brought this box to you? A. A stranger.

Q. Was it a male or female? A. A male.

Q. Did you have any conversation at the time it was delivered to you? A. Yes, sir.

Q. Do you remember that conversation? A. I have forgotten some parts of it. A stranger walked into my side door, side of my office, and brought a box under his arm, and I got up from my chair, and asked what I could do for him. He wanted to know what time the train went north; I said about 4:30 in the morning, but I said there was a freight train, but that we sent no express on freight trains; that this box would have to go over on the train that went at 4:30 in the morning, and he wanted to know if it would go on that train and I said yes; and I asked him to whom it was going, and he gave me a name, J. Loudon, and I asked him his name, and he said it was no matter; I said I would like to have some name; he then gave the name of P. Jason, and I asked him if he wanted to prepay the box, and he said he did. He paid me the twenty-five cents, and I asked him if he wanted a receipt, and he said "I guess not." The box had no mark on it and I asked him if I should mark the box. He said "Yes, sir." I wrote out a tag with the directions he had given me on it, and reached to get some very small tacks, four ounce tacks that we kept for that purpose, and a little hammer, and pushed them in on the tag. I asked him what it contained. He said it contained glass, some medicine and some bottles, "I want you to handle it very carefully." I said "that is our business, it will go through all right." He said, "I do not want you to throw it on the dray, nor leave it at the depot, but look after it yourself." I told him that was all right. When I was tacking on the tag he said, "I guess that is all right," and turned and went out. That is as near as I can remember the conversation.

Q. Now, you say this was about 11 o'clock in the morning, Mr. Upham? A. Yes, sir.

Q. What did you do with the box after you had placed this tag on it? A. I locked my desk, made another entry on the forwarding book, and made out a way-bill, locked my desk and safe.

Q. What did you do with the way-bill you made out? A. Left it on the desk, took the box under my arm, went out and got in the wagon, put the box on the seat of my wagon and drove up to my house.

Q. Did you have any other express matter in the office at that time to go west? A. I do not think there was anything to go west.

Q. Were you in the habit of taking express matter from the office up to the house that early in the day? A. If anything was special, and I could not look it up in my safe, I took it home.

Q. When you took this box home, what did you do with it? A. I put it in a little room I had constructed.

Q. In what part of the room? A. I laid it back on the back part of the shelves on the south side of the dark room, almost against the partition.

Q. It was in the southeast corner of the dark room? A. Very near it; not quite in the corner.

Q. Were you in the habit, when you took express matter from the office to the house, to deposit the same in this dark room? Q. Yes, sir, I had been in the habit of putting it in this room.

Q. Where you had anything valuable? A. Anything that was valuable or break-

able I took up to my house and put in the laundry or summer kitchen. I constructed this dark room that week, and so I put it in there.

Q. You went home a little before noon time? A. Yes, sir.

Q. How long did you remain at home? A. During the noon hour; I went down somewhere about 1 o'clock, I think.

Q. Did you take any picture during that noon hour? A. Yes, sir.

Q. What picture did you take? A. The picture of my daughter.

Q. Of Mabel, the young lady who is on the witness stand? A. Yes, sir.

Q. Then you went to the office about one o'clock? A. I think about one o'clock.

Q. How long did you remain in the office that afternoon? A. Well, I was out of the office and around town until I came back to the house.

Q. What time did you come back to the house? A. As near as I can remember, it was about 2:30 or 3 o'clock.

Q. What were you doing at home? A. I was around the house doing chores. I was out in front of my house. I may have been doing a great many things. I do not remember just the things I did that day.

Q. Do you remember what you were doing when your daughter returned from school that afternoon? A. Yes, sir.

Q. What were you doing? A. Standing at the front gate.

Q. Did you have any conversation with her there? A. Yes, sir.

Q. What did you say? A. I said, "Hurry up, Mabel, if you want to see your plate developed."

Q. What did she say? A. She said "All right," and she rushed in ahead of me.

Q. In the main building of your home? A. No, sir; she went into the laundry, or dark room.

Q. Did you follow her in? A. I went through the house and spoke to my wife, and asked her to come in and look at Mabel's picture being developed.

Q. What was your wife doing when you went into the sitting room? A. I don't remember; I think she was sewing.

Q. And she went into the dark room with you? A. Yes, sir.

Q. Mabel was in the dark room when you got there? A. Yes, sir.

Q. What was she doing when you got into the dark room? A. Nothing in particular; just standing looking at things.

Q. Then what did you do after you had all three got into the dark room? A. Shut the door the first thing.

Q. Where were your wife and Mabel in the dark room, with reference to the pan with the solution? A. I can draw a diagram of the position on paper; I can't describe it very well.

[Here witness draws diagram. Witness was instructed to mark on the diagram of the dark room where Mabel stood in the dark room with an "M;" where Mrs. Upham stood with a "W," and where he stood with a "U," and prepare a diagram accordingly. Witness is instructed to make a diagram of the entire premises.]

Senator Mohler moved that the committee adjourn until to-morrow at 9:30 A. M., which motion prevailed.

TOPEKA, KANSAS, Wednesday, February, 25, 1891—9:30 A. M.

Committee convened pursuant to adjournment; all the members present except Senator Mohler.

Mr. H. M. UPHAM on the witness stand.

Examination by Mr. Henderson:

[Here Mr. Henderson hands the stenographer the diagram and requests her to mark it "Exhibit No. 1," and a plat, purporting to be an accurate route from the

express office to the depot, by the way of Mr. Upham's residence, and asked that it be maked "Exhibit No. 2."] (Exhibits marked accordingly.)

Q. Mr. Upham [here handing witness exhibit 1], I will ask you to state to the Committee if this is a correct diagram of your residence in Coffeyville? A. As near correct as I can draw it from memory.

Q. You drew the diagram yourself? A. Yes, sir.

Q. Now, I will ask you to state to the Committee if in that diagram you have located your wife, your daughter Mabel, and yourself, immediately before you left the dark room to go to the cistern for water? A. No, sir.

Q. Will you do that now? A. I located my wife and daughter and myself at the time of the explosion, and in order to locate them just before the explosion, while I was in the dark room, I think my daughter took the place I had. As I stepped out she stepped around and took my place; at least, I suppose she did.

Q. Now, I will ask you to so change the location of the parties named in your diagram so that the exact location of yourself, wife and daughter will be identified upon the map before you stepped out to the cistern?

[Here the witness marks the position in red ink. The witness states that the marks made in black ink were the position of the parties just before the explosion.]

Q. That was before you left the dark room? A. It was.

Q. Now, you may designate upon Exhibit 1 where you were at the time of the explosion? A. I have got it down there.

Q. Now describe where the cistern is and the distance from the dark room? A. It was near the doorway entering the summer kitchen, and at the time of the explosion I had taken two steps and was just over the door-sill.

Q. You had taken two steps inside of the building? A. I had taken about two steps inside of the building—just short steps.

Q. About what is the distance from that door you have just entered to the door entering into the dark room? A. From the door-sill I think it was about four feet. I should think it was about seven feet from the corner of the dark room to the door where I entered.

Q. What did you do, Mr. Upham, immediately after the explosion occurred? A. I was pinned in between the door-way and the door-sill, and the door was also pressed against me by some boards coming from this partition. I tried to release myself so as to go inside of the summer kitchen, but found I could not do it, as one of the boards from the partition had passed through one of the panels of the door and had struck me right in the hip, somewhere down in the upper part of the limb, and in order to release myself I stepped back into the passage-way, went around to the window and looked in, on the east side of the summer kitchen. Saw no fire, but sulphurous smoke seemed to fill the air. I immediately rushed around the house shouting "fire!" and hollowing "help!" Went on around. By that time parties, who probably had heard the explosion, came running toward the house asking what was the matter, when I said there had been some kind of an explosion. We immediately ran back, and with some assistance forced the door open and went in to my wife and daughter, to release them from the lumber and things that was over and around them, and helped to take them into the house.

Q. Do you remember the persons whom you first met after the explosion? A. No, sir.

Q. Do you remember any person with whom you had any conversation immediately after the explosion? A. I might have talked with a great many, just asking them for help; nothing was said very much about the explosion, except looking after the folks to get them comfortable. My brother was one of the first ones over there. Mr. Elliott came soon after, and Mr. Clifford soon came.

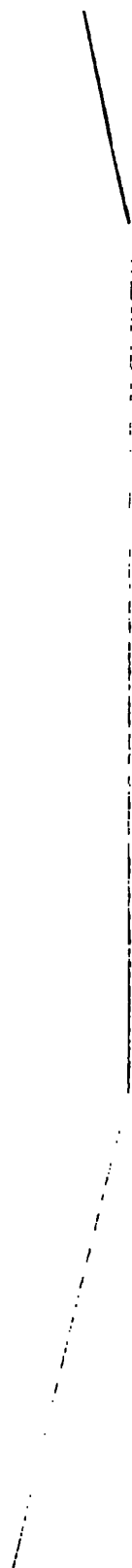
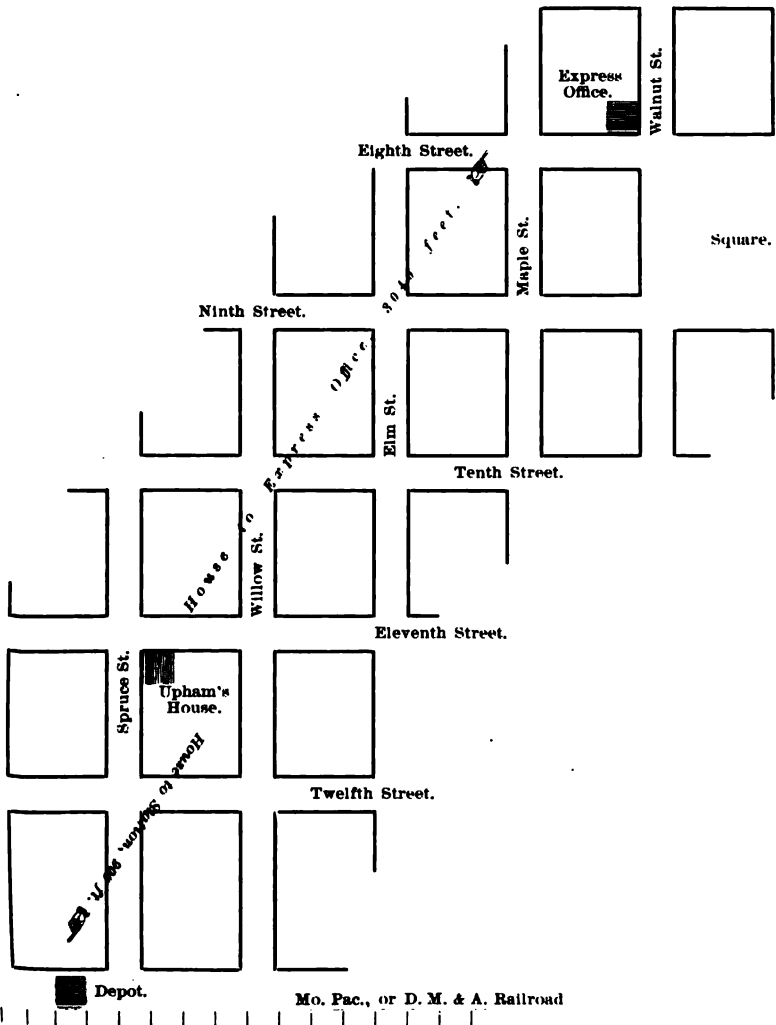


EXHIBIT 2.

NORTH.





Q. Did Mr. Clifford, at the time, live in that immediate neighborhood? A. I don't remember just where he did live.

Q. Had you seen Mr. Clifford that day before that time? A. I do not remember.

Q. Do you remember whether or not he was in your office during the afternoon of the day of this explosion? A. No, sir; I do not remember.

Q. Do you remember at any time within a few days prior to the explosion of being in conversation with Mr. Clifford? A. I do not remember now; no, sir.

Q. Were you intimately acquainted with him at the time of the explosion? A. Yes, sir.

Q. How long had the intimate relations between you and him existed prior to the explosion? A. I can't say.

Q. About how long? A. It might have been many months, and it might have been many years.

Q. Have you now any distinct recollection of your first acquaintance with him? A. No, sir.

Q. Have you any distinct recollection of being in conversation with him within ten days of this explosion, upon any subject whatever? A. No, sir; I have no recollection now.

Q. Do you remember of having a conversation with him on the afternoon of the day of the explosion, and after your wife and daughter had been cared for as best they could under the circumstances? A. Yes, sir.

Q. Where was the conversation? A. At my house.

Q. In the house or yard? A. I do not remember whether it was in the house or passage-way between the summer kitchen and the main house.

Q. About how long after this explosion was it that you had this conversation? A. I do not know just how long.

Q. About how long? A. It might have been half an hour or two hours. I was not in a condition to take much notice.

Q. Do you now remember what that conversation was? A. I cannot remember the exact words I used.

Q. Do you now remember the subject-matter upon which you and he entered into a conversation? A. Yes, sir.

Q. You may state to the Committee all that you remember of that particular conversation, what you said and what he said? A. I gave him a description of the man; I told him to offer a reward of one hundred dollars for the man; I told him to get out a circular, and I described the man to him.

Q. State what you said further, if you please, Mr. Upham. A. I told him a man came to the office and brought that box; that he was a dark-complexioned man, dressed in dark clothes, with a full, very dark beard. He wore a soft hat, and he had black eyes, and his speech was what might be called a little broken, and his eyes were small and black, and he frequently opened and shut them while he was talking with me at the office; that the man had evidently worn glasses, as he had a glass mark over the bridge of his nose. His height corresponded to mine as we stood opposite to each other in the office. He was about three feet from me, with the light full on his face, and his eyes were about even with mine. Mr. Clifford asked me the man's name, and I told him that he had given me the name of P. Jason as being his name. He asked me to whom the box was addressed, and I told him it was addressed to J. Loudon, Winfield. Mr. Clifford asked me what kind of clothes he had on, and I said he had black-cloth clothes, not what you would call working clothes, but kind of shiny clothes; a frock coat. I told him that he weighed probably about 140 or 150 pounds. He asked me about how old I should judge the man was. I said about forty years of age. That is as near as I remember this particular con-

versation; there might have been more said, and said in a different way, but I have no recollection other than I have stated.

Q. Did you in that conversation describe to him the directions on the box that had been left in your care for the purpose of being expressed to Winfield? A. Yes, sir.

Q. What description of the box did you give him at that time? A. I told him it was about eight inches each way.

Q. Did you at any time give a different description of the box, before you left Coffeyville? A. No, sir.

Q. Did you tell him what this person had said to you with reference to the handling of the box? A. Yes, sir.

Q. What did you tell Mr. Clifford at that time? A. I do not remember the exact words; the substance was to handle it carefully, that it contained bottles of medicine.

Q. Did you say anything to him at that time, or to any other person a day or two afterward, therein stating that the person who left the box with you especially requested that you do not permit a drayman to handle the box? A. I do not remember whether I told it to anyone else or not. I might have told it to my brother and I might have told it to Mr. Clifford; I do not remember.

Q. Do you remember whether or not you told the editor of the *Coffeyville Journal* anything in relation to that particular part of the subject-matter? A. I remember telling him about the same I have been stating here; somewhere near it, about the description of the box and man.

Q. Have you given to any person a description of that box different from the description that you have given here upon the witness stand. A. No, sir, I never have.

Q. Did you tell Mr. Clifford in that conversation that the person who left the box in your possession specially requested of you that you should not leave the box in the wareroom over night? A. I do not remember whether I told him that or not.

Q. Did the person who delivered to you the box make such a request of you? A. He made a request of me not to leave it at the station.

Q. Did the effect of that request create any suspicion in your mind. A. No, sir.

Q. Was such a request ever made of you before, as agent of the Pacific Express Company? A. Such requests have been made to handle boxes carefully; I do not remember whether a request not to leave it at the station was ever made or not.

Q. Did not the request that the box should be handled carefully create any suspicion in your mind that the box was in any way dangerous? A. No, sir.

Q. When you attempted to push the tacks upon this box what was it the man said to you with reference to a hammer. A. He did not say anything to me with reference to a hammer.

Q. Well, did he not tell you to be careful? A. He had already told me to handle the box carefully. When I took it, it was laying on the scales, where I had weighed it, and I had made out the tag and marked it "Glass, handle with care." As soon as I put the tag on the box, the man said "that is all right," or words to that effect. I said: "Yes, sir; it is our business to look after these things," or a remark like that, and he passed out, as I attempted to put the tag on the box.

Q. What was his manner when passing out of the room. A. He simply turned around and passed out. I had stooped down and do not know as I looked at him after that.

Q. Did you state to any person that when he passed out of the room he passed

out acting very nervous, or words to that effect? A. I don't remember. It is possible that I said he went out rapidly.

Q. Did his manner of going out at the time attract your attention? A. Not more than anybody else would.

Q. About the time the person who delivered to you this box had left your office, there had been no suspicion whatever created in your mind. A. No, sir.

Q. When he cautioned not to leave this box in the wareroom at the depot, did not that of itself create a suspicion in your mind? A. No, sir.

Q. When he said to handle the box very carefully and not to permit a drayman to handle it, did not that of itself create any suspicion in your mind? A. No, sir.

Q. Then, when you took the box home, why was it you placed it in the dark room in the laundry? A. That is a good place to put the boxes for express.

Q. This is your answer? A. Yes, sir, that box had to be handled carefully.

Q. That was your object in taking the box in the dark room? A. Yes, sir; it was a storeroom. I used it for that purpose. Whenever I had anything to go on the night train I used the room for that purpose.

Q. You were in the habit of taking boxes and articles delivered to you as the agent for the express company, going west on that morning train, and taking the same to your house the day before? A. Small packages and packages of any value that needed any attention I was in the habit of taking there.

Q. Did you at that time use your own wagon for delivery? A. Yes, sir.

Q. Was it your custom prior to this accident to employ draymen to make any deliveries for you? A. It was not, only when I had something very heavy or hard to handle.

Q. That was very seldom, was it not? A. Well, no; I often had very heavy boxes of dressed poultry to go; sometimes used my own wagon and sometimes hired a drayman.

Q. What was the weight of this box in question? A. About five pounds.

Q. You never under any circumstances employed the services of a drayman to deliver to the depot packages or boxes of that size or weight? A. If I was going to be away or sick, I might have done it.

Q. When not ordinarily heavy and attending strictly to the business of the office yourself, you did not so employ a drayman? A. It was not my habit.

Q. You are hard of hearing, are you not, Mr. Upham? A. Yes, sir; a little hard of hearing.

Q. How long have you been in that condition? A. I should say nearly twenty years.

Q. You were hard of hearing at the time of the conversation with the person who delivered the box in question? A. Yes, sir.

Q. Now, I wish you would describe the exact location of your office, at the time of this explosion, [handing witness, for his convenience, Exhibit No. 2, and witness refers to that exhibit.] A. My express office is located in the southeast corner of the block, at the intersection of Eighth and Walnut streets.

Q. Who was the owner of that building? A. William McCoy.

Q. Were there any other kinds of business carried on in the lower part of the building, other than that of your own business? A. Yes, sir.

Q. Describe to the Committee what part was occupied by yourself? A. The rear portion; I should call it the northeast corner, there being a side door.

Q. Side door entering into the building from what side? A. From Walnut street, I think.

Q. Now, who occupied the other part of the lower room of that building. A. The Famous Clothing House.

Q. Now, how many entrances were there to that part of the building occupied by yourself as an express office? A. Two.

Q. State to the Committee what they were, and how you entered your room; from what street? A. I entered my room—I did not have a room separate from store—I entered my office from a side door; then we had a rear door that passed into the back yard.

Q. Now, which door did this man enter who delivered to you the box in question? A. The side door.

Q. The door entering from Walnut street? A. Yes, sir.

Q. Now, then, Mr. Upham, you may proceed to explain to the Committee the route that you travel in going from your office to the Missouri Pacific depot, taking that in connection with the location of your residence. A. I did not always go the same way. Sometimes I went up Eighth street until I got to the street my house was on; sometimes I went up through the business square to Ninth street; sometimes up Tenth; sometimes up Eleventh; I did not always go the same way.

Q. Calling your attention to Exhibit No. 2, I will ask you to state to the Committee if that properly represents the location of your office, the location of the Missouri Pacific depot, and as well the location of your residence? A. As near as I could draw it from memory.

Q. It is substantially correct? A. Yes, sir; not being drawn to a scale.

Q. You have lived in Coffeyville some eleven or twelve years? A. Somewhere in that neighborhood, yes sir.

Q. Are you now acquainted with one Bion S. Hutchins? A. I am now acquainted with Bion S. Hutchins.

Q. How long have you been acquainted with him? A. Since I have been in Topeka.

Q. During your visit here and attendance upon this Committee? A. During my attendance upon this Committee.

Q. Immediately after this explosion, did you receive any correspondence from any persons other than your own family relations in relation to the unfortunate accident? A. I do not remember now of receiving anything different from friends and relatives.

Q. Did you not receive some telegrams from Topeka? A. I do not remember of receiving any communications of that kind from Topeka.

Q. At no time? A. I don't remember of receiving anything from Topeka.

Q. You are the owner in fee simple of your home there in Coffeyville? A. No, sir; my wife is.

Q. There was no insurance upon the property at the time of this occurrence? A. No, sir.

Q. You had been at work there for the express company for two years or more? A. Yes, sir.

Q. You had been engaged in other business, then, in Coffeyville for several years prior thereto? A. Yes, sir.

Q. You had no thought at that time, did you, Mr. Upham, of leaving Kansas? A. No, sir, I had no idea of leaving at that time. At the time of the accident there were no plans made, nor that I should break up at all.

Q. What is your native state? A. Indian Territory. I would like to explain that. My father was a missionary. He went out in 1843 from Boston. I was born in 1852, at the old Baptist Mission, near Talleguah.

Q. You remained in the Indian Territory up to the time that you moved to the city of Coffeyville? A. No, sir.

Q. What time did you leave the territory? A. I think it was in 1860, when the war broke out.

Q. Were you a soldier? A. No, sir.

Q. Where did you go when you left the Indian Territory? A. The family broke up and went to Lawrence, this state.

Q. Did you remain in Lawrence until you moved to Coffeyville? A. No, sir.

Q. Where did you go from Lawrence? A. We moved to a farm.

Q. In Douglas county? A. About six miles from Lawrence. That would be Douglas county.

Q. Well, did you then go to Coffeyville. A. No, sir.

Q. Where were you living when you removed to Coffeyville? A. Living in Boston.

Q. In Boston? A. Yes, sir.

Q. How long had you been living in Boston? A. I had been living in Boston and vicinity for a good many years. My father had moved to Massachusetts in 1864, immediately after the raid. I should have said that the family moved to Lawrence from the farm, my father being pastor of the First Baptist church in Lawrence, in 1863 and '64, I think. After the raid we went back to Massachusetts.

Q. Do you mean Quantrill's raid? A. Yes, sir. I was there at the time, and I lived in Massachusetts up to the time I first went to Coffeyville, which was in the Spring of 1872.

Q. In 1872? A. Yes, sir, I first went to Coffeyville in the spring of 1872.

Q. How long did you remain there at that time? A. I went back to Massachusetts the next winter on a visit; returned to Coffeyville in a month, and the next winter, the second winter after first going to Coffeyville, which was in 1872, in December, 1874, I went back to Massachusetts, was married, took my wife to Coffeyville at once.

Q. And remained there until you went East some year and a half ago? A. No, sir.

Q. Well, how long did you remain in Coffeyville at that time? A. We were married in February, and in the latter part of April, or about the first of May, 1876, we went back to Massachusetts.

Q. When was it that you returned to Coffeyville to remain permanently and did remain? A. 1883 I think was the year.

+ Q. Now, then, how long after this accident occurred until you made up your mind to go back East? A. The folks said they wanted to go back East as soon as they were able to go, and I promised them that I would take them as soon as they were able to travel; I don't know about how long after the explosion that occurred.

Q. About how long after the explosion took place? A. It might have been a couple of weeks, or it might have been three weeks; I cannot tell just when we had that conversation.

Q. What time was it that you went east yourself? A. I think it was the 23d of December that I left Coffeyville.

Q. In 1888? A. Yes, sir; 1888 I should say.

Q. You left your wife and daughter in Coffeyville at the time? A. Yes, sir.

Q. When was it you next saw your wife and daughter? A. When I returned, in January, I think it was, about two or three weeks after that.

Q. Were you in the state of Maine while you were gone on that trip? A. yes, sir.

Q. How much of the time of your absence from home was spent in the state of Maine? A. I do not remember how much of the time.

Q. Approximate as near as you can? A. I think there was about a week taken

up in going to Boston. I had lost a good deal of time on the way, and I think I was in the state of Maine about a week out of that three weeks. It might have been a little more or less.

Q. Were you at Lewiston on that occasion? A. I do not remember of going to Lewiston on that first trip.

Q. Did you at that time have any acquaintance in Lewiston? A. Yes, sir, I knew one family there.

Q. Was that acquaintance a casual acquaintance or an intimate acquaintance? A. I regarded it as an intimate acquaintance.

Q. Well, when there on a visit to Maine, spending your vacation, did it occur to your mind upon that occasion that you desired to go to that state and enter into business? A. No, sir, I had no idea then of making any change.

Q. Now, I wish you would state to this Committee when it first occurred to your mind that you desired to make a change of place of business, giving the date as near as you can. A. About the time that my folks intimated that they would like to go east when they got well. I have already stated that it was after the explosion, when they got well enough to talk about it.

Q. But you are unable to give any date? A. Yes, sir.

Q. Or approximate a date? A. It might have been two or three weeks, more or less; I cannot tell just the time.

Q. Where were you when you procured the position as agent in the city of Lewiston? A. I think I was in Boston, in the office of the superintendent of the New England Despatch Company.

Q. When was that? A. That was on my first trip that the superintendent had talked to me about sending me to Lewiston or Bangor, but he did not promise just which place he would send me, on my first visit to him on my first trip. He asked me if I could go to Lewiston some time the latter part of January.

Q. Give the year, please. A. Immediately after the accident; that was 1889.

Q. Who was the superintendent at that time? A. Mr. A. Cheney.

Q. Did you at that time know who the superintendent was? A. I guess he was president. I did not know it at that time, any further than that I had a letter from Mr. Cheney; at the time I talked with my wife about going east, I wrote him in regard to a promise he had made me.

Q. Did you have any personal acquaintance with Mr. Cheney? A. I had no other personal acquaintance with him than that I met him during my summer vacation in Boston; simply went and introduced myself, and asked for some little accommodations for transportation of some baggage.

Q. Was that your first or second visit east? A. That was during my first vacation, my first trip, in the summer of 1888.

Q. Was that the only acquaintance you had with him? A. Yes, sir; that was the first acquaintance I had with Mr. Cheney.

Q. What was the character of your application to him for a position, in writing or orally? A. I wrote him from Coffeyville.

Q. About when did you write him? A. About the time that the folks intimated that they would like to go east when they got well.

Q. Have you a copy of the letter that you wrote him? A. No, sir.

Q. Do you remember about the date of that letter? A. I think it was in November; I do not remember just the date of it.

Q. 1888? A. Yes, sir.

Q. How long afterwards until you received a reply thereto? A. I think it was about a week or ten days.

Q. Have you the letter that you received from him? A. I have not it here with me.

Q. Where is it? A. I think I have it among my papers at home. I may have it and I may not have it.

Q. You wrote the letter, or, in other words, made this application to Mr. Cheney, after you wife had expressed her desire to go East? A. Yes, sir.

Q. It was caused by reason of her solicitation? A. Yes, sir.

Q. What was it your wife said to you, if you remember, in relation to that fact? A. What fact do you mean?

Q. Going East. A. She said when she got well she did not want stay in Coffeyville.

Q. Did she at that time express any reason why she did not desire to remain in Coffeyville? A. By reason of the circumstances surrounding the explosion, she wanted to be removed from them as soon as possible.

Q. Had you up to that time talked to her and your daughter in detail as to the cause of their suffering and their injuries? A. No, sir.

Q. Did you ever explain to your wife and daughter the causes of their injury? A. Yes, sir; after they recovered, we talked about it.

Q. Did you, or did you not, have frequent conversations in relation to that subject after they recovered? A. Yes, sir; after they recovered we talked about it.

Q. Frequently? A. Once in a while.

Q. At the time Mrs. Upham made this request of you to go east, had you then talked with her as to the causes thereof? A. No, sir.

Q. Then why did you state to the Committee, Mr. Upham, that she desired to be removed from the surroundings? A. Because she said so.

Q. Had you not then talked to her about her injuries, or the cause of them? A. That was a subject forbidden in the house by the doctors.

Q. Prior to the time that she requested of you to make arrangements for her to go east, had you not talked about these matters? A. I had not discussed details.

Q. Answer this question now? A. We talked very little about it; had not gone into details.

Q. Do you remember of ever talking with her about the details of her injury, and the causes, prior to your first visit east? A. No, sir.

Q. When was it you first conversed with her in detail in relation to this matter? A. I do not remember just when it was.

Q. About when was it with reference to your return from the East? A. I do not remember when it was.

Q. Do you remember of having such a conversation with Mrs. Upham? A. I remember of having several conversations.

Q. Do you remember the circumstances of having the first conversation with her in this matter? A. No, sir.

Q. Can you now call to mind, and are you able to state to the Committee, any one conversation you had with her containing details of the injuries received by her and daughter, when the causes thereof were fully discussed? A. No, sir; I cannot call to mind any one conversation, or when or where it was.

Q. Do you remember, Mr. Upham, when you secured the position as express agent at Lewiston, Maine? A. I think it was in—it might have been in the latter part of January when I was in Mr. Cheney's office in Boston, in 1889.

Q. Did you secure the position at that time? A. I secured a promise from Mr. Cheney, the same promise he had given me before.

Q. Had you at that time any letters of recommendation? A. Yes, sir.

Q. How many? A. I do not know how many; I had one from Mr. Johnson, superintendent of the express company, at Kansas City.

Q. Any others? A. I might have had one from the assistant superintendent.

Q. Any others? A. No, sir.

Q. Did you have any letters from Coffeyville? A. No, sir.

Q. Did you have any letters from Independence? A. No, sir.

Q. Are you now able to state when you entered upon your duties as agent at Lewiston? A. Yes, sir.

Q. When was it? A. Seventh of February, 1889.

Q. Where were your wife and daughter at that time? A. At Coffeyville.

Q. Now, I will ask you to state to the Committee if, prior to the time that you entered upon your duties as express agent at Lewiston, Maine, you had had any conversation with your wife in which the details of this subject-matter had been discussed? A. I do not know whether it happened before I went East to take my position or not.

Q. As a matter of fact, Mr. Upham, don't you know that you had no such conversation with your wife until she and your daughter had met you in New York? A. We had such conversation then, but did not go into details.

Q. I am talking about conversations in which details were discussed. Isn't it a fact that the first conversation you had with your wife in which the details were discussed was after she and your daughter had met you in New York? A. It might be a fact.

Q. Is it a fact, or is it not? A. Do you mean by a fact—

Q. I mean just when that conversation took place. Have you any recollection upon that matter at all? A. In a general sort of a way we talked about it afterwards; I can't remember just what was said.

Q. Do you remember of writing any letters in relation to this subject during the time that you were east, in the state of Maine, back to Independence or Coffeyville, in which you stated a conversation as having taken place between yourself and wife? A. I have no recollection of writing any such letter.

Q. Do you remember of writing any letters to anybody in Kansas? A. I might have written some letters from Maine.

Q. Well, did you? A. I cannot remember of writing any.

Q. Why did you say that you might have written letters when you had no recollection of having done so? A. I cannot remember all of the letters I have written.

Q. Do you remember whether you did write any such letters to any person in Kansas? A. Of course, I wrote to parties in Kansas; I wrote to my wife.

Q. Any persons other than your wife? A. I might have.

Q. Can you call to mind any person you had corresponded with after you had gone to the state of Maine? A. I cannot recall any parties, except my wife, that I may have written to.

Q. What time did your family leave Kansas? A. I think about the first of April.

Q. Give the year. A. 1889.

Q. When did you return to Kansas? A. I think it must have been the latter part of September, 1889.

Q. Now, then, I will ask you to state to the Committee if, during that period, you corresponded with any person in Kansas in relation to the cause of the Coffeyville dynamite explosion? A. I suppose I did.

Q. Well, did you? A. Of course I did.

Q. Well, now, will you state to this Committee who it was that you corresponded with? A. I do not know; I do not remember the persons.

Q. You know no one person you corresponded with? A. I presume I wrote to my brother and family.

Q. Do you remember any other person with whom you had any correspondence in Kansas? A. I said I might have written. I might have had some correspondence with Mr. Elliott, the publisher of the *Journal*.

Q. Well, did you? A. I do not remember now. I told you before that I did not remember, but I might have written.

Q. You state to this Committee that you do not remember the names of the persons to whom you corresponded about the matter which resulted in serious injuries to your family? A. No, sir, I do not remember all the parties.

Q. Do you remember any of them. A. I told you I had written to my brother and Mr. Elliott. I have recollection of writing to any one else.

Q. You state to the Committee you have no recollection of writing to any one in the state of Kansas other than your family? A. Yes, sir.

Q. You are aware of the fact, Mr. Upham, that this Coffeyville dynamite explosion has been the subject of general talk and newspaper comment in the state of Kansas from the day of its occurrence, are you not? A. Yes, sir.

Q. You were fully cognizant of that fact at the time you went East? Yes, sir.

Q. You have frequently been interviewed regarding the facts and circumstances surrounding these occurrences? A. Yes, sir.

Q. These interviews have taken place in the state of Kansas? A. Not all of them.

Q. You have been interviewed by various persons outside of the state? A. I presume so.

Q. And the matter was at the time, and has been ever since, deeply impressed upon your mind? A. Yes, sir.

Q. Now, then, that being the case, is it possible for you now to say that you are unable to give the name of any person other than your brother and Mr. Elliott that you have ever corresponded with in regard to this subject? A. Yes, sir.

Q. When your family met you in the East, you immediately moved to Portland? A. No, sir; we visited in New York awhile.

Q. How long did they remain in New York? A. It might have been a week or two weeks; I do not remember how long.

Q. Then where did you go? A. Then we went to Boston.

Q. From Boston, where? A. To Portland.

Q. How long did they remain in Portland? A. Until we returned, in August, 1889.

Q. Did you form any acquaintances in Portland? A. I had some acquaintances there.

Q. You had some acquaintances there? A. Yes, sir.

Q. Did you form the acquaintance of one M. S. Haskell in Portland, Maine? A. I do not remember that name now; I might have met him.

Q. How far is Portland from Lewiston? A. It is about thirty miles.

Q. You kept your family in Portland while you were doing business in Lewiston? A. Yes, sir; I went back and forth every day.

Q. Why did you return to the West, Mr. Upham? A. One reason was because I wanted to bring my family south again.

Q. Were you discharged from the position you occupied? A. No, sir; I resigned the position.

Q. What other reason did you have for coming south? A. Because I had a home in Coffeyville, and I had written to Mr. Johnson, superintendent of the company, and he offered to give me a position, and we could live cheaper in Kansas.

Q. These were the only reasons why you moved? A. Yes, sir.

Q. Were you acquainted with Governor L. U. Humphrey? A. I am acquainted with him some now.

Q. Were you acquainted with him at the time of this explosion? A. No, sir.

Q. When did you first form his acquaintance? A. I do not remember just when it was.

Q. About when? A. I do not remember of ever speaking to him, or shaking hands or being introduced to him, or meeting him before a gathering that was held in Coffeyville, I think it was last summer; the high school graduating exercises, last spring or summer.

Q. There were quite a number of persons in Coffeyville at that time, at the time of the exercise which you have just referred to, when you met Governor Humphrey? A. Yes, sir; there were quite a number of strangers at that time.

Q. You met several of them upon that occasion? A. I met Governor Humphrey, and I met the superintendent of public instruction.

Q. Is that all? A. I do not remember of meeting any other strangers; it was in the evening, shaking hands all around, just for a few minutes.

Q. That is all you remember of having met that evening? A. Yes, sir.

Q. Do you know Mr. Samuel Elliott? A. Not until I met him in Topeka, at this investigation.

Q. Were you acquainted with O. P. Ergenbright, late county attorney of Montgomery county? A. I knew him by sight; that was all.

Q. You knew that Mr. Elliott was county attorney at the time of this explosion, did you not? A. Yes, sir.

Q. Did you ever have any conversation with Mr. Elliott? A. Not that I remember of.

Q. Did you ever have any correspondence with him? A. I do not remember of having any correspondence with him.

Q. Did you ever receive any communications from him? A. I do not think I ever received anything from him.

Q. Did you ever seek him in his official capacity for the purpose of consulting with him with reference to this explosion? I do not remember of ever meeting him in any such capacity whatever.

Q. You knew he was county attorney at that time, and that Mr. Ergenbright succeeded him as county attorney of Montgomery county? A. Yes, sir.

Q. Did you ever have any conversation with Mr. Ergenbright with relation to this explosion? A. I do not remember of ever having any conversation with him.

Q. Did you ever seek him for the purpose of having such a consultation? A. I do not remember. I might have.

Q. Did you ever go to Independence, the county seat of Montgomery county, for the purpose of holding a consultation with the officers or other persons in relation to this explosion? A. I made one trip to Independence.

Q. When was it? A. After the explosion.

Q. How long after? A. Two weeks after; as soon as I could get away from the house.

Q. Was it a month? A. It might have been a month afterwards.

Q. Who went with you? A. I do not think any one went with me.

Q. At whose instigation did you go to Independence? A. My own.

Q. Whom did you go there to see. A. I just drove up there for a ride. I had no particular business.

Q. Did you have any conversation or consultation with any persons that day in relation to this explosion? A. I might have talked with a number of persons; I do not remember who they were.

Q. Don't you remember any person with whom you counseled that day? A. No, sir.

Q. You say you drove up in a buggy? A. Yes, sir.

Q. What is the distance from Coffeyville to Independence? A. Somewhere about sixteen or seventeen miles.

Q. You went alone, did you? A. Yes, sir.

Q. And you state to the Committee that you are unable now to give the name of any person with whom you held a conversation or consultation that day? A. I think I talked with Mr. Yoe, the editor of the *Tribune*. He is the only person I have any recollection of meeting.

Q. What did you talk to him about? A. The crops, the weather and the explosion.

Q. Well, what did you talk about first; the weather or the explosion? A. I might have passed the time of day; I might have spoken of the weather first.

Q. Do you remember, Mr. Upham, what was said between you and Mr. Yoe, in relation to the explosion? A. No, sir.

Q. Do you remember the substance of it? A. Just talked about the explosion; that is all I remember.

Q. You have no recollection of any details of this conversation? A. No, sir; no details of the conversation do I remember.

Q. Was he the only person with whom you conversed the day you were in Independence? A. I do not remember who I talked with over there; I might have talked with some other persons.

Q. Do you remember what time of the day it was when you arrived in Independence? A. I arrived there about dinner-time.

Q. Do you remember how long you remained in the city? A. Two or three hours, perhaps.

Q. Had you any business there? A. Nothing special.

Q. Did you take dinner that day in Independence? A. I ate a lunch at a restaurant counter.

Q. With whom? A. At the restaurant.

Q. Did anybody go with you? A. I do not think so.

Q. If they did you have no recollection of it, and are unable to give the name of the person, if there were any? A. I have no recollection of it.

WEDNESDAY AFTERNOON, February 25—2 P. M.

Committee convened at 2 o'clock; all the members present, and proceeded with the testimony; Mr. H. M. Upham on the stand.

Examination by Mr. Dawes: Mr. Dawes announced that Mr. Upham desired to make a correction.

Mr. Upham: The question was asked me if I was discharged, and I answered that I resigned. I wish to explain that Mr. Cheney desired me to move to Lewiston by fall. His route agent came up to see me in August—July, I should say—and wanted me to move my family up to Lewiston. I was not willing to at that time, but told him I could a little later on. He said, "All right," and while he was gone, some few days after that, I concluded perhaps it would be better to move to Lewiston, even if I staid only a short time. So my wife and I went up to Lewiston to look around for a place. We selected some rooms up there and I decided to move up, having written Mr. Cheney to that effect. When Mr. Cheney's man got back and made his report, he wrote me that my services would not be required after the first of August unless I could move my family up there. I was then about to move my family up there, but owing to some misunderstanding between Mr. Cheney and the route agent about my moving up, I resigned, which took effect about the first of August. In regard to the statement I made about going to Independence after the explosion, I wish to correct that by saying that about a month afterward, after the explosion, my sister-in-law, who had come out from New York, wished to return; I went on the train with

her as far as Independence. I went up town and sat for a picture at Al. Brown's photograph gallery that day, and took dinner with the superintendent of schools, Mr. Kingsley—D. W. Kingsley, I think his initials are—at Judge Chandler's. The time I drove up in my buggy by myself was a long time before the explosion—before I went East that summer. I wish also to state that when I met my wife and daughter in New York, it was some four or five weeks before I took them to Portland, instead of two or three weeks, as I stated. That is all the corrections, Mr. Henderson, that I desire to make.

Examination by Mr. Henderson: Q. When was it that Mr. Cheney first requested of you to move your family to Lewiston? A. It was some time in July.

Q. Near the early part of the month? A. No, sir, the latter part of the month.

Q. How long after that until you tendered your resignation at Lewiston? A. I tendered my resignation about the first of August.

Q. It took effect the first of August? A. Yes, sir.

Q. Now, after your first conversation with Mr. Cheney, with relation to the removal of your family to Lewiston, and before you tendered your resignation, did you have any correspondence with any persons in Kansas? A. No, sir, not outside of my brother and possibly Mr. Dike, pastor of the Baptist church at Coffeyville, that I remember anything about.

Q. Then you were mistaken also this morning, when you said in answer to my question that you had a conversation with Mr. Yoe, were you not? A. No, sir, I did have a conversation with Mr. Yoe when I went on the train.

Q. And not when you went in the buggy? A. No, sir.

Q. Who was at Judge Chandler's house the day you took dinner there? A. Mr. and Mrs. Kingsley, and I think Judge Chandler came into the house while I was there.

Q. No one else? A. I do not remember of anyone else being there.

Q. Did you talk with Mr. Kingsley or Judge Chandler that day in relation to the explosion? A. I do not know as Judge Chandler was there.

Q. Did you talk with Mr. Kingsley? A. Yes, sir; we talked about the explosion.

Q. Did you explain to him in detail the causes of the explosion? A. I expect I must have done so.

Q. Well, did you do it? A. I expect I must have done it; I do not remember.

By Mr. Dawes: Q. You know Mr. C. A. Henrie, do you, Mr. Upham? A. I have only known him recently; since I came to Topeka.

Q. When did you first meet him? A. I think it was yesterday.

Q. I refer to the gentleman sitting in the rear there. That is the man you are speaking about, is it? A. Yes, sir.

Q. I want you to tell the gentlemen of the Committee whether that is the man who delivered the box to you on the 18th of October, 1888? A. No, sir.

Q. Is there any resemblance at all between Mr. Henrie and the gentleman who delivered the box? A. Very slight.

Q. If there is any at all, state what it is. A. The only resemblance is in complexion.

Q. If there is any thing about the appearance of the man who delivered the box so entirely different from Mr. Henrie that enables you to say positively that Mr. Henrie is not the man, please state positively what that was? A. This man was heavier; this man was older—I should judge about ten years older. I should judge Mr. Henrie to be about thirty years of age. The man who brought the box to my office I should judge to be forty years of age. I should judge Mr. Henrie's weight to be 130 or 135; the man who brought the box to my office weighed 140 or 150, I should judge. Mr. Henrie has no marks on his nose that a person wearing glasses

has; this man had distinct marks over the bridge of the nose, where he might have worn spectacles resting on it.

Q. Now, are there any such marks on Mr. Henrie? A. No, sir; Mr. Henrie's eyes are not black; the man's eyes were black.

Q. What is the color of Mr. Henrie's eyes? A. I would not call it black, but a dark brown. This man had black hair, what little I could see of it; he had a soft hat on, and the hair was black on the temples. If that gentleman will excuse me (pointing to a gentleman in another part of the room), his whiskers were as black as his. I would like to state that the man who brought the box to my office stood directly in front of me, with the light from my large window shining directly in his face, so that I could not possibly make a mistake in the color of his eyes and hair.

Q. Did you ever see or know one George W. Poorman? A. I never saw him to my knowledge.

Q. I will ask you to look on page 50 of the little book entitled, "A History of the Coffeyville Dynamite Outrage of October, 1888," published by the *American Non-Conformist*, Winfield, Kansas, in 1889, and look at the picture purporting there to be the picture of George W. Poorman, and tell whether you ever saw that man? A. Not to my knowledge have I ever seen that man.

Senator Mohler objected to anything further in that line, as there was no proof that this was a correct picture of George W. Poorman.

Q. Now, Mr. Upham, I believe you stated that you never met Mr. Hutchins until you came to Topeka? A. Yes, sir.

Q. At or about the time of this explosion, or within a few days prior to the explosion, or at any time since, have you ever communicated with Mr. Hutchins, either by letter or telegram, concerning the matter of the explosion in any way? A. No, sir.

Q. Have you communicated with him about anything at that time? A. No, sir.

Q. Do you know Captain Henry Booth? A. No, sir.

Q. I mean the Henry Booth who was chairman of the Republican State Central Committee in 1888? A. No, sir. [Mr. Booth is pointed out to the witness.]

Q. You were not acquainted with him? A. No, sir.

Q. I will ask you if at or about the time of the explosion, or within a short time prior thereto, or at any time since the explosion, whether you have been in communication with Capt. Booth concerning the explosion or any other matter? A. No, sir.

Q. By telegram or letter, either one? A. No, sir.

Q. Have you ever in your life spoken to the gentleman? A. Not to my knowledge.

Q. I believe you stated that you met Governor Humphrey? A. I have met Governor Humphrey.

Q. Now I will ask you to state, about the time of the explosion or any time since you ever conversed with or communicated, by letter or otherwise, with Governor Humphrey concerning the Coffeyville explosion? A. Only one exception.

Q. State what that was. A. I introduced my wife and daughter to him at a gathering in Coffeyville, at the high school celebration, as being the ladies who were injured at the time of the explosion. He shook hands with them.

Q. Outside of that you had no communication with him? A. No, sir.

Q. Now, when you made up your mind to go east, you state that you took recommendations from Mr. Johnson and his assistant, from Kansas City, and I would ask you, in this connection, whether you had any letters of recommendation from Capt. Henry Booth, Governor Humphrey, Bion S. Hutchins, or any other state officer, or Republican or Democrat, in high standing in either of the parties mentioned? A. No, sir.

Q. Who was at this clothing store at the time the box was delivered to you? A. Mr. John Sturr, a clerk.

Q. Any one else in the store at the time? A. A customer; no one I knew.

Q. You could not give his name now? A. No, sir.

Q. In what part of the store was your desk? A. In the back part of the east side of the rear end.

Q. In what part of the store were Mr. Sturr and the customer standing? A. In the front part of the store.

Q. Was their attention in any way called to this man? A. Not that I know of. Mr. Sturr said afterwards that he saw the man, but that I do not know, to my positive knowledge. I just simply saw the two persons in there.

Q. Did you not have any conversation with Mr. Sturr in regard to the conversation that day? A. Not until after the explosion. I think he came to the house to see if he could do anything. I might have had some talk with him; I do not know whether I did or not.

Q. How many packages were left with you on the eighteenth of October, 1888? A. That was the only package that I remember that had been left with me to send away, and I never went back to the office after I left it after dinner for some two or three weeks.

Q. And you received but one package on that day? A. That is the only package of which I have any remembrance of receiving that day.

Q. And you received it about 11 o'clock? A. Yes, sir.

Q. Did you make out a way-bill? A. Yes, sir.

Q. Just one, or did you make it out in duplicate? A. I first entered it on our office book or record book; then I made out the way-bill and left it on the desk.

Q. That is, you made out one way-bill? A. Yes, sir.

Q. You did not take it with you to the house? A. No, sir.

Q. And there was another box or package sent in place of the one that was left there, in place of the one that you say exploded. A. Yes, sir.

Q. Who sent it? A. I do not know exactly who sent it. I think Mr. Clifford and my brother made up the package.

Q. What became of the way-bill that you made out for the box that is claimed to have exploded. A. I presume it went with the package to Winfield. I don't know from my personal knowledge.

Q. Is it customary to have the way-bill accompany a package when sent off. A. Yes, sir.

Q. Why then did you not take the way-bill to the house when you took the package? A. Because I make up my run at the office of all waybills, and it was my custom to take the way-bills and the mail and make up the run, tie them together, take them to the train. I went back to my office after dinner, expecting more business to come to the office to go on that train. I left the way-bill to make up the run at night when I went home for good.

Q. Now, Mr. Upham, I want you to again state just what ingredients were used in preparing the bath that you used in developing the pictures on the day of the explosion. A. Pyrogalllic acid, sulphate of sodium, carbonate of soda, and water.

Q. Just three ingredients? Yes, sir.

Q. How much pyrogalllic acid was used? A. I don't remember just how much. I have my not my formula here; but a very small quantity, a few grains.

Q. You are not a chemist? A. No, sir.

Q. And in preparing that you followed a formula? A. Yes, sir.

Q. Can you give any idea of the quantity of pyrogalllic acid used? A. A few grains.

Q. And how much sulphate of sodium? A. I cannot tell the amounts; it is a few grains of each.

Q. All you can state is that you used a few grains each of these ingredients? A. Yes sir. I wish to state also that I have been using a pyro-developer for a long time, for over a year. As it stains the hands, now I use altogether a different developer.

Q. How much water did you use? A. About three ounces; from three to four ounces.

Q. Now I desire you to state to the Committee just how this mixture was made; that is, which ingredient was placed in the pan first, and the order in which they were placed in the water. A. Pyrogalllic acid is a powder; sulphate of sodium comes in lumps; we pulverized the sulphate of sodium, and put the pyrogalllic acid and sulphate of sodium together.

Q. That is the pyrogalllic acid? A. Yes sir, and the sulphate of sodium, the two being fine powders, the sulphate of sodium being pulverized. Water is poured on them, about from two or three ounces, according to the strength of the developer; then we take a small quantity, a few grains or so, of carbonate of soda, pulverize them fine, add two or three ounces of water, and the two separate solutions constitute the developer, which is poured into a graduate altogether. It is then ready to flow over the dry plate.

Q. When you went out to get a bucket of water, you left the plate in the pan? A. Yes sir.

Q. Now you said something about your daughter changing and taking your position after you went out. Why did you think so? A. Because she could look at the image as it appeared on the plate to better advantage.

Q. Had she been told to take that place? A. Yes, sir.

Q. When you stepped out? A. Yes, sir.

Q. Was she to do anything while you were gone? A. She was to rock the pan that held the plate.

Q. And you went after water? A. Yes, sir.

Q. What for? A. To wash the plate after it came out of the developer. There is a fixing solution that comes after it has been washed.

Q. What other chemicals were in the room at that time? A. Hypo-sulphate of soda.

Q. Any other chemicals there for any other purposes other than mentioned already? A. Not in the dark room. I had some chloride of gold, but it was not in the dark room.

Q. What you had then is what is commonly known as an amateur photograph outfit. A. Yes, sir; very amateur.

Q. Did you ever in the preparation of chemicals use cotton batting? A. No, sir.

Q. Did you use collodion? A. No, sir.

Q. Did you use pyroxylin? A. Never heard of it.

Q. Now, just a word about this explosion. How high was this summer kitchen? A. I think it was about eight feet.

Q. Then from the floor on which this box which you have described was standing, to the roof of the summer kitchen, would be about eight feet? A. I should say about seven or eight feet.

Q. Then from where the box was sitting to the west end of the dark room on the outside wall of the summer kitchen would be in the neighborhood of five feet? A. Yes, sir; four or five feet.

Q. Now, after the explosion, did you notice in what condition the roof was? A. The roof of the summer kitchen?

Q. Yes. A. Yes.

Q. Go and state the condition. A. The roof was open, I think, the entire length of the comb.

Q. What was it roofed with, shingles? A. Yes, sir; pitch roof.

Q. You may state if boards and shingles were blown entirely off the building. A. Yes, sir.

Q. How far from the building were they blown? A. Well, I cannot say just how far—several feet.

Q. Several feet? A. Yes, sir.

Q. Well, now take the west wall of the building, which was, as you have stated, five feet from where the explosion occurred, and what condition was it in after the explosion? A. Some of the boards were blown off entirely loose from the building.

Q. About what distance from the building? A. They could not get very far because there was a trellis work there and could only get as far as this trellis work.

Q. As far as this trellis work? A. They were blown against this trellis work.

Q. Was it thrown against the trellis work with sufficient force to damage it any? A. Knocked off one or two of the small strips that were nailed on the top.

Q. The partition against which the box was placed, if I understand you correctly was blown down? A. Yes, sir.

Q. Of what material was the chimney close to where the box was sitting? A. The chimney did not come down to the floor; it came to about three feet from where the ceiling would be if it had been ceiled over.

Q. Did the whole of the partition of the east side of the dark room blown down? A. Yes, sir.

Q. How far were the boards thrown? A. They were broken to pieces and picked up all over the summer kitchen. One piece was blown endways and came through the lower panel of the door where I was standing, or when I was coming in.

Q. Did it have any effect on the east wall of the summer kitchen? A. There was no discernable effect of the walls of the building that I ever saw.

Q. Now, Mr. Upham, what I want to find out is whether there was force enough in that explosion the portion immediately east of where the box stood to in any way affect the east wall, or siding, of that summer kitchen? A. Yes, sir.

Q. Now, you may state what condition it was in? A. It was loosened at the top, where it was nailed on. The ceiling inside was broken as though it had been struck by a hammer in one or two places.

Q. And that east wall must have been some eight feet from where the box exploded? A. About seven feet. I should judge seven or eight feet.

Q. Between that wall and the box the partition? A. Yes, sir.

Q. This portion was made out of what kind of lumber? A. I think it was hard pine flooring.

Q. How thick? A. An inch.

Q. Were the siding or upright boards composing this outer wall blown out and down? A. They were immediately behind the dark room.

Q. How far were these boards blown from the building? A. They were blown in on the wood in the wood-shed.

Q. About how many feet away? A. I do not know how many feet. There was another little room back of that; a private room, and that was full of splinters and boards.

Q. Did it injure the chimney in any way, and if so state to what extent? A. It loosened the supports that supported the chimney. The chimney was resting on a bracket of joists that came down to the floor. These supports were loosened in such a way that the chimney was canted a little bit.

Q. And these brackets were how many feet above where the box was standing? A. The brackets came down to the floor.

Q. Now, if I understand your direct examination, you stated that when you were in Boston in the summer of 1888, Mr. Cheney then promised to give you a position at any time you desired to go east? A. Yes, sir.

Q. You also stated, if I understood you, that your family wanted to go east because of the circumstances surrounding the explosion; now, if you had never told them anything about the explosion until after you went to New York, what circumstances were there surrounding the explosion that caused them to want to leave Coffeyville? A. Well, I should think they had been through enough to want to go.

Q. You did not know what it was that made them want to leave? A. It was the explosion.

Q. And that it is, you want the Committee to understand, that caused them to want to leave Coffeyville, just because they got hurt, and wanted to go away? A. Yes, sir.

Q. Had they relatives in the east? A. Yes, sir.

Q. Relatives at Portland? A. No, sir; intimate friends.

Q. And they were living with these intimate friends at Portland? A. Yes, sir.

Q. You have been asked concerning any communications or letters you may have written to parties in Kansas while in Maine. I would ask whether or not you did not write a letter to one E. P. Greer? A. Yes, sir.

Q. About July 29th, 1889? A. I do not remember the date. I could not say.

Q. You may examine this letter, Mr. Upham [handing witness a letter marked "Exhibit 3"], and state whether you wrote it. A. Yes, sir.

By Mr. Rice: Q. Mr. Upham, will you tell this Committee whether there was anything peculiar about the face of the person who left the box at your office? A. He had marks over his nose, and was a dark complexioned man, if this is anything peculiar.

Q. Was there a strong light shining from your window at the time the person leaving the box was in the office? A. Yes, sir.

Q. Was that person facing that strong light? A. Yes, sir.

Q. Did you look that person squarely in the eye? A. Yes, sir.

Q. Do you know positively that his eyes were black? A. Yes, sir.

Q. Upon what particular characteristic of the individual did you judge that he was about forty years of age? A. By his general appearance.

Q. What, of his general appearance? A. His general appearance.

Q. Was there anything in his face, whiskers or hair, or anything that seemed to indicate that age? A. I cannot explain why it was.

Q. Were there any gray hairs in his head or whiskers? A. I did not see any.

Q. Had that person betrayed any nervousness while in the room? A. Well, he was in a hurry to get away, and talked quite rapidly, and talked in a broken voice.

Q. Was there anything in the physical condition of his face, any twitching or nervousness to indicate that he was in a hurry to get away? A. He winked his eyes repeatedly.

Q. Did you attribute that to nervousness, or to physical disorders? A. I do not think I attributed it to anything at the time.

Q. What would you attribute that to now? A. To nervousness, I might say; or he might have been in a hurry.

Q. Did not he work his eyelids so rapidly so that you could not look at his eyes? A. No, sir.

Q. Did the person wear his hat low, or did he wear it back from his forehead? A. He wore it on the top of his head, neither back nor low.

Q. Did he wear it sufficiently so as to throw a shadow over his eyes? A. No, sir; his hat was not over much.

By Mr. Senn: Q. Can you explain how it comes that you can remember the exact color of his eyes and the marks on his nose from his spectacles, and have such a poor memory on everything else in connection with this transaction? A. I do not remember what you mean by that. I think it is a good deal to remember things that happened two years and a half ago.

Q. You said that you had no suspicion at the time about this man at all. That is what makes me ask this question. A. I had no suspicion that anything was out of the way with the man or the box.

By Mr. Dawes: Q. How soon after the explosion were you called upon to give a minute description of the individual who left the box there? A. When Mr. Clifford came up, some time after the accident. I do not remember just when it was.

Q. About how long? A. I do not know; half an hour or two hours.

Q. It was the same day as the explosion? A. Yes, sir.

Q. It was then that you gave the first description of the party? A. Yes, sir; that is what I remember.

By Mr. Henderson: Q. Did you give a minute description of the man to Mr. Clifford, the first conversation you had with him in relation to the explosion? A. I don't remember whether it was the first or second; there were so many people there.

Q. Do you remember the description that you then gave of the man? A. I remember the substance of it, as I have already stated; cannot give the words.

Q. Did you in that conversation, or any other conversation you ever had with anyone, describe the person who left the box in your office, stating that there were marks on his nose as if he had been wearing glasses? A. Yes, sir.

Q. Did you give such a description to the reporter of the *Coffeyville Journal*? A. I do not know whether I did or not; I remember of speaking of it.

Q. Did you ever talk with the reporter of the *Winfield Courier*? A. I do not know; there were so many there.

Q. Are you acquainted with Mr. E. P. Greer? A. Yes, sir.

Q. How long have you been acquainted with him? A. Since I have been in Topeka during the investigation.

Q. Do you remember of ever seeing him in Coffeyville after the explosion? A. No, sir; I do not remember of ever seeing him before.

Q. You stated, I think, that you had received a letter from Mr. Greer while you were in Maine—you had written to Mr. Greer while you were in Maine? A. Yes, sir.

Q. Do you not remember giving that fact this morning on the witness stand? A. No, sir.

Q. How was your recollection refreshed, Mr. Upham? A. By studying it over on going home.

Q. Did you talk with anyone else about it during the noon hour? A. I talked over the investigation going home.

Q. Did you talk with anyone beside your wife the daughter? A. No, sir.

Q. Then, when you made your correction immediately after dinner, why didn't you then state that you had written to Mr. Greer? A. I had forgotten about it until I saw the letter.

Q. When did you first see that letter here? A. Just now, when he handed it to me.

Q. Is that the first time you saw the letter? A. Yes, sir.

Q. Did you receive any communications to Mr. Greer prior to writing the letter in question? A. Yes, sir.

Q. Now, you knew that fact this morning, did you not, Mr. Upham? A. I did not think of it; I had forgotten it.

Q. Since your recollection has been refreshed, are you now able to state whether or not you had correspondence with any other persons in Kansas, in relation to this matter, while you were living at Lewiston? A. The only person I remember now was my brother and the minister, Mr. Dike, at Coffeyville, outside of Mr. Greer.

Q. Have you Mr. Greer's letter in your possession? A. I don't know. It may be among my papers at home.

Q. You said, I believe, Mr. Upham, that the first time you ever met Mr. Henrie to know him was yesterday. A. I think it was yesterday I met him for the first time.

Q. Where did you meet him? A. Some where in the state house, I do not remember now.

Q. Who introduced you to him? A. Mr. Hutchins.

Q. Did you have any conversation with him at that time? A. No, sir; just passed the time of day.

Q. Did you have any conversation with Mr. Hutchins in relation to Mr. Henrie, before you met him? A. No, sir.

Q. Did you have any conversation with Mr. Hutchins after you had formed the acquaintance of Mr. Henrie with reference to him, Mr. Henrie? A. Have no recollection of anything being said about Mr. Henrie.

Q. Was there anything said about Mr. Henrie? A. I do not remember what was said.

Q. I will ask if there was anything said about Mr. Henrie? A. I do not remember.

Q. Did not Mr. Hutchins ask you if that was the man who delivered the box in Coffeyville? A. I do not recollect.

Q. Did not he say that in substance to you? A. I do not remember.

Q. Was anything said by Mr. Hutchins to you, or any other person, since you have been here in Topeka, with reference to the identification of Mr. Henrie as the man who delivered you the box? A. Yes, sir.

Q. Who was it? A. I think Mr. Hutchins spoke to me while I was sitting here.

Q. What did he say? A. I do not remember.

Q. Do you remember the substance of what he said? A. He said something about Mr. Henrie looking like the man.

Q. When did you come to the city of Topeka? A. I got in Friday morning.

Q. Have you been here ever since that time? A. Yes, sir.

Q. Where have you been stopping? A. On Quincy street, No. 713.

Q. When did you first meet Mr. Henrie? A. I do not remember just when I first met him. It might have been yesterday. I think it was. It was somewhere in the past week.

Q. How did you know it was Mr. Henrie? A. Mr. Hutchins introduced me to him.

Q. When did you first meet Mr. Hutchins? A. I was introduced to him in the Senate chamber; I think it was Friday afternoon.

Q. Who introduced you to him? A. I do not remember who it was now.

Q. Have you had frequent conversations with him since you have been in the city? A. I have a good many times passed him and had little talks and then gone on.

Q. Have these casual meetings been frequent or not? A. Not very frequent.

Q. Once or twice a day? A. It might have been once or twice a day. I don't remember how many times I met him.

Q. Have you seen Mr. Henrie at your boarding place? A. No, sir.

Q. Have you seen him at his residence? A. No, sir; I don't know where he lives.

Q. Have you seen him in his office? A. No, sir; I don't know where that is.

Q. Now, I wish you would tell this Committee what was said by Mr. Hutchins at the time you were introduced to Mr. Henrie, as to whether or not you could identify him as the person who deposited with you a box you claim to have exploded in your house. A. I do not remember the conversation.

Q. Can't you tell the substance of it? A. No, sir.

Q. Why is it that you cannot remember the conversation that took place yesterday, and can minutely describe an individual more than two years back? A. I had that party's looks burned into my mind so that I was always looking to see if I could see a man looking like him.

Q. Is there any other person who has ever done any business in the office so burned his general looks and appearance in your memory as the person you described to this committee? A. There have been a good many persons who did business with me that I know the general appearance of.

Q. Strangers? A. Yes, sir.

Q. Can you now call to mind any person who ever transacted any business with you in Coffeyville only once, and an entire stranger to you, whom you have never seen since; can you describe him so minutely as you have the person you said delivered to you that box? A. No, sir.

Q. Would you know that man should you see him now? A. Well, I might know him and I might not.

Q. Why not? A. He might look different; he might not have any whiskers, and he might have changed his clothing.

By Mr. Rice: Q. Mr. Upham, you had no suspicion that there was anything wrong as indicated by the appearance of this person? A. No, sir.

Q. Why was it burned into your mind any more than that of any other person? A. On account of the explosion.

Q. But the explosion occurred after the individual was gone, before any suspicion was created in your mind? A. Yes, sir; then I went to work, studying it out.

Q. What was there so remarkable about the whiskers? A. Nothing special; they were not so long as yours (referring to Mr. Henderson).

Q. Are you certain of that? A. Yes, sir.

Q. Was he stroking his whiskers frequently when in the room? A. Yes, sir.

Q. And that act of itself was impressed on your mind? A. Yes, sir.

Q. And you carefully examined his eyes? A. I examined his general appearance as he stood before me.

Q. His general size? A. Yes, his general appearance, his eyes, his hair, etc., as he stood in the strong light.

Q. Now, this man, you say, had black eyes? A. Yes, sir.

Q. And Mr. Henrie's eyes, you say, are a very dark brown or grayish like. Do you state to the Committee that his eyes are blue or grayish? A. A dark blue or grayish.

By Mr. Dawes: Q. You said a moment ago that Mr. Hutchins here in this room this morning asked you if Mr. Henrie resembled the man who delivered to you the box. Now I want to ask you if you were not mistaken in regard to Mr. Hutchins asking you that question, and that it was I? A. I might have been mistaken.

Q. How many letters did you receive from Mr. Greer? A. I do not think I received but one; I don't remember.

Q. How long was that before you wrote the letter marked "Exhibit 3"? A. I think I answered it almost immediately.

Q. At the time that you went east to seek employment, you may state whether or not you had letters of recommendation from C. A. Henrie? A. No, sir.

By Mr. Henderson: Q. Now, then, Mr. Upham, I will ask you if you were ac-

quainted with the editor of the *Lewiston Journal*? A. I had a very slight acquaintance with him.

Q. Were you interviewed by him while you resided in that place, or while you did business in that city? A. Yes, sir.

Q. Did you read this article in the newspaper [handing witness a newspaper article found on page 75 of the little red book entitled "The Coffeyville Dynamite Outrage"]? A. I have read this article.

Q. Did you read that article before you left Maine? A. Yes, sir.

Q. Is the article there dated the proper date? A. I do not feel sure about that.

Q. You were interviewed, were you not, by the editor of that paper? A. Yes, sir.

Q. You gave him the statements therein contained? A. No, sir.

Q. Did you give him any information or any other statements contained in that article? A. I don't know just what was said, but the general tenor of that article would indicate that I made no such statements. "Upham will fight;" I never said that.

Q. Then you read the article before you left Lewiston? A. Yes, sir.

Q. Did you go to the editor after the publication of the article before you came here. A. Yes, sir.

Q. Did you then have any conversation with him with reference to the correctness of the article in question? A. Yes, sir; I told him he had got a lot of stuff in there I did not say.

Q. Now, what did he say to that? A. He said he thought he got it about right.

Q. Did you pretend to give him a correct statement on that occasion and in that interview? A. Correct statement of what?

Q. A correct statement of the former interview? A. Yes, sir.

Q. How many different interviews did you have with the editor of the *Lewiston Journal*? A. I do not know what you call an interview. He might call an interview what I did not. I saw him a great many different times.

Q. How many different times did you talk with him with reference to the explosion at your house in Coffeyville, Kansas? A. I don't remember how many times.

Q. More than once? A. Possibly more than once.

Q. How many times did you converse with him before the publication of the article to which I have already called your attention. A. I do not remember how many times I talked with him.

Q. How many times did you converse with him after the publication of the article? A. I do not know.

Q. You did have a conversation with the editor of the *Lewiston Journal* before the article to which I have called your attention, did you not? A. Yes, sir; I had a conversation with him.

Q. After you had had that interview, you read the article I have shown you? A. I would not call it an interview; I would call it a good-bye.

Q. You saw the article that was published? A. I saw it afterwards.

Q. You then had a conversation with him after the publication of this article? A. Yes, sir.

Q. Do you remember the contents of Mr. Greer's letter? A. No, sir; do not remember the contents of his letter.

By Mr. Rice: Q. We have had stated the effects of the explosion on the upper part of the building; now I ask what the effect of that explosion was on the floor where that package sat? A. It tore a hole some three or four feet across, and tore off heavy joists, and broke the cellar floor that is six or seven feet below; that is cracked the cellar floor.

Q. Did the facts show that the force of the explosion had been expended more in a downward or in an upward direction? A. I should judge more in a downward direction.

Q. Have you ever had any experience in the use of either gunpowder or dynamite as explosives? A. I have used gunpowder in shooting; dynamite I do not know any thing about.

Q. Was there any peculiar fume arising from the material exploded? A. There was some kind of a sulphurous smell.

Q. Not being acquainted with the fumes of dynamite, you are not prepared to say whether it was dynamite or not? A. Not from that.

By Mr. Henderson: Mr. Upham, there were no pieces of gas pipe found around the wreck of the building? A. One. It was a short piece, three or four inches long, which was in the building before the explosion.

Q. It was there before? A. Yes, sir.

Q. Was there anything else found? A. No, sir.

By Mr. Dawes: Q. Did you ever find any piece of this box? A. I could not tell whether it was the box or not.

Q. Never anything found that you could recognize as a piece of that box? A. No, sir.

Q. You have been asked by Mr. Henderson concerning the contents of a letter written you by Mr. Greer. Now, I desire to ask you whether there was anything in that letter concerning any prosecution to be begun by Governor Humphrey, or any other person, against H. & L. Vincent, editors of the *American Non-Conformist*, at Winfield, Kansas? A. I do not think there was anything said in that letter, but I cannot remember the contents.

Q. You do not think there was anything of that kind in the letter? A. I do not think there was, but I do not remember.

Q. Did you say anything to the editor of the *Lewiston Journal* about any prosecution to be begun against the Vincents? A. No, sir; it was all news to me.

Q. It was all news to you when you saw it in the *Lewiston Journal*? A. Yes, sir.

Q. That was what you complained about to the editor? A. Yes, sir. I complained that he stated that Upham would fight. I had not said anything of the kind. He got all of his information from some other source. I never intimated it to him in the remotest degree, about the prosecution. I did not know anything about it.

SAMUEL ELLIOTT, having been duly sworn, testified as follows:

Examination by Mr. Henderson: Q. State your name to the Committee? A. Samuel C. Elliott.

Q. Where do you reside? A. Independence, Montgomery county, Kansas.

Q. What business are you engaged in? A. I am an attorney-at-law.

Q. How long have you been engaged in your profession? A. About twelve years.

Q. What official position, if any, did you occupy in Montgomery county during the year of 1888? A. I was county attorney of Montgomery county.

Q. Do you remember the fact of an explosion at Mr. Upham's house in October, 1888? A. I do.

Q. How long did you remain in office after that explosion? A. I went out of office, my recollection is, on the 14th day of January, 1889.

Q. Prior to the expiration of your term of office, and after this explosion, were you approached by any person for the purpose of prosecuting persons alleged to have been guilty of this crime? A. I could answer that question by yes or no; but either of the answers would be truthful; yet I would say there was a gentleman

by the name of I. D. Highleyman. That gentleman came to my office and had an interview about this matter.

Q. State what was said in that interview. A. He came to my office, and I think there was somebody in the office, and told me who he was, and said he wanted to see me, and I stepped into what is known as the consultation room at the court room, in the court house of Montgomery county, Kansas, with him, and we there had the conversation. Mr. Highleyman asked me if I wanted the parties who deposited the dynamite boom at the express office in Coffeyville, or in substance that. I said to him that I did not know; that unless the parties had intended to hurt somebody with the bomb, or destroy some property, I did not know what section of the statutes of the state of Kansas I could charge them with having violated if I had them. I also stated to Mr. Highleyman that I knew that the governor had issued a proclamation for the arrest and conviction of the parties who left the bomb there; that I did not doubt that the people of the city of Coffeyville, if they could get the man that left the bomb there, would have hung him, but that I thought, as a matter of law, there was a very serious question as to whether or not I could charge him, under the facts as I understood them, with the violation of any specific law of the state of Kansas. He further told me in the interview that one of them as he said, I believe, had squealed to somebody in Ohio; that one of them was there in Ohio, and the other one he had temporarily lost track of; but that he was either in the west or in Old Virginia. He gave me the names of C. A. Henrie and George W. Poorman as being the men. He said that George W. Poorman's father was a state senator in the state of Ohio, and that the Poormans didn't want this thing hanging over Poorman, and that Poorman was willing—I think he said it was Poorman—was willing to tell the truth about it, and that he said that he and Henrie had got it up and intended to have it sent to Winfield and there exploded, not with the purpose of hurting anybody or destroying any property, but simply to create a sensation. He also asked me, if I commenced a prosecution against these parties, if I would recommend him to the governor of the state of Kansas to be appointed to go to Ohio, as agent, and make the arrest and return with the parties here. In reference to that, I said that I would not be willing to tender the agency of the state of Kansas to anybody but the sheriff of our county until I had given him an opportunity to refuse it, or to permit him to suggest somebody who might be recommended as the agent of the state of Kansas, and if the person suggested be a resident of Montgomery county, and was satisfactory to me, I would recommend that person before I would Mr. Highleyman, who, I understand, lived at Chetopa, in Labette county. I said to Highleyman that I had been thinking of the matter a great deal since the explosion of the bomb, and had been examining the law, and was very doubtful indeed as to what I could charge these parties with having done; what section of the statute I could charge the crime under. I told Highleyman there; he and I talked about some one making the complaint. I said to him that if a complaint was made, I wanted the complaint made by a resident of Montgomery county, and said to him that in the event I concluded to instigate a prosecution that I had no doubt but that I could induce Mr. Upham to swear to the complaint. I told Mr. Highleyman then that I could not then decide what course I would pursue about the matter; that I desired an opportunity of talking with Judge George Chandler, who was then judge of the district court of the eleventh judicial district of the state of Kansas. He is now the assistant secretary of the interior. He was, I think, at the time of this interview, at and holding court in the city of Oswego; I will not be positive about that matter; and that was the sum and substance of the interview we had at that time.

Q. Did you after that interview have any communication or conversation with

Mr. Upham or any person in Coffeyville with a view to the commencement of an action against persons whom then you had been informed were guilty of the crime?

A. No, sir, I did not.

Q. Did you have any further conversation or any communication with Mr. Highleyman about the matter? A. I can't say that I had any further communication with Highleyman about the matter; I had a conversation with a gentleman who said that he inquired of me in the interest of Mr. Highleyman concerning the matter.

Q. Who was that gentleman? A. That was LeRoy Neal, an attorney at law who lives in Chetopa, Kansas.

Q. Now, Mr. Elliott, when was it you had this interview with Mr. Highleyman? A. It was probably the last seven days or in the very last week of November, 1888.

Q. When was it that you had this conversation with Mr. LeRoy Neal? A. I do not know exactly.

Q. About when? A. I know it was during the sitting of the December term of court in Montgomery county, in 1888, and my recollection is that it was some place after the middle of the month of December, and I think after the 20th.

Q. Where did this conversation take place? A. It took place between Mr. Neal and myself in the court room in that city, at the south end of the court room, on the west side, in some chairs that are occupied ordinarily by the jury in that court room. There was something being tried, I believe. I think it was Saturday, and motions were being heard before the court without any jury. We were sitting in the chairs.

Q. Now, you may state to me what that conversation was. A. Le Roy Neal asked me if I had any word, I think, to send Highleyman, was the way the conversation opened. I said that I had not; that I had a conversation with Judge Chandler in reference to this matter, and had written the governor of the state in consequence of that conversation; had not yet received an answer, and had not made up my mind what I was going to do about it.

Q. That is the substance of the conversation? A. That is the substance of the conversation. Mr. Neal said something to me about having Mr. Highleyman appointed agent of the state of Kansas to go and arrest these parties in the event of a prosecution being commenced, and I told him then and there, in substance, what I had told Mr. Highleyman, namely: that I should recommend the sheriff of Montgomery county first for agent to go after these parties.

By Senator Carroll: Q. Did you ever speak to Judge Chandler about the affair? A. I did, sir. As soon as the December term, 1888, of the district court opened, and I could get the attention of Judge Chandler, and I don't know how early it was, but will say it was the first week of the December term, which then met on the first Monday of December. I invited the judge into his private office and told him fully and frankly all that Mr. Highleyman had said to me, and gave him the names and everything that passed between us, and asked him if he could cite me, under the circumstances surrounding the case, to the section of the statute under which I might make a charge against the parties. There were no statutes in the room, and I went out into the court-room and got a volume. We looked it over and examined section 42, of chapter 31, of the general statutes; that is the crimes act of the state of Kansas; and we discussed at some length the facts as had been detailed by Highleyman to me, and Judge Chandler said to me that he entertained a similar opinion to mine; that he did not see how, under that statement of facts, we could predicate a crime upon the facts stated under that section. He says, however, Governor Martin has made a proclamation in this matter and certainly has had some interview or consultation with the attorney-general before he did such a thing as that,

and it will be well to write to the governor about this matter. I agreed with him, and went immediately after that and wrote a letter to Governor John A. Martin. I kept no copy of the letter, but I do not doubt that the letter is in the governor's office and could be found yet. I called his attention to the fact of the issuance of the proclamation, and said that I had some information with reference to the parties who deposited, or were said to have deposited the bomb, and said to him that I wanted to know what section of the statute they had violated and what should they be charged with when they were arrested, and probably something more. I know I said that. I suppose the governor referred my letter to the attorney-general, S. B. Bradford. About the very last of December I received a communication from S. B. Bradford, attorney-general of the state of Kansas, stating that my inquiry to the governor had been referred to him, and he cited me to section 42, the section 42 that Judge Chandler and I had examined before, and likewise section 27 of the crimes act, as being the section under which a prosecution might be instituted under the circumstances.

As soon as I got the letter and could get the attention of Judge Chandler I took it to him and showed him the letter. He was quite busy, and I could not get his attention only as he sat upon the bench while some attorneys were discussing a case to the jury sitting in the room. I showed him the letter and he read it over, and he asked me to hand him the statutes, and I did so, and he examined the sections to which the attorney general had cited me, and laughed and said, "I think the attorney is mistaken," and handed me back the letter. Of course that was entirely unsatisfactory to me, and I concluded that I would wait and have further interview with Judge Chandler upon this question before I took any action, but a time did not come when I could get any further interview with Judge Chandler during that term of court. Court continued beyond the new year and sometime in January, 1889 — I do not know just how long — and immediately after the close of court he went to his next engagement, which I believe was in Crawford county, as judge there, and I never got to talk any further with him. The next entire week was consumed by me in the examination, and correction and passing upon the fee bill arising from the criminal trials in that, just passed, term of court for the board of county commissioners. It is known that the county commissioners meet in this week and are in session during the whole week. It is the county attorney's duty to examine the fee bills and correct them. The time was consumed in that way, and then my term of office came to an end. I had no other time after I had consulted with the other officers to determine whether I should or should not institute a prosecution. O. P. Ergenbright succeeded me on the 14th day of January, as county attorney, to whom I gave, in confidence and fully, everything that had occurred in connection with this matter, and put him in possession of all the information I had.

Q. You stated that Highleyman — I don't understand whether you said that Highleyman had offered to file a complaint or not. A. Well, sir, I say that Mr. Highleyman did not offer to file a complaint, and I think also that his disclosures to me showed to me that he did not know of his own personal knowledge what he was telling, anyhow. It came through a person that had gone to Ohio, and besides that the statement did not satisfy me that a crime could be charged. I want to state to this committee why I say there is a serious question whether or not a crime can be charged under the facts as they came to me. I do not know what the facts really are, but upon the facts as they came to me I say, as a lawyer, that it is a serious question whether a section can be cited of the laws of the state of Kansas as they existed at that time under which a crime could be charged, and am prepared to give my reasons and cite good authority for it. Section 42 of chapter 31 of the statutes

of the state of Kansas is the only section which anybody claims a prosecution might be maintained under. It reads substantially as follows:

"If any person shall be maimed, wounded or disfigured, or receive great bodily harm, or his life be endangered by the act, procurement or culpable negligence of another in cases and under circumstances which would constitute murder or manslaughter if death had ensued, the person by whose act or culpable negligence such injury or danger of life shall be occasioned, shall in cases not otherwise provided for be deemed guilty of a certain offense, and punished."

Then the question would be, under this section, if death had ensued as a result of this explosion, would the man who had deposited the box in the express office have been guilty of manslaughter, if the facts were as I understood them, and as they related them to be. Manslaughter is the intentional killing of any human being, in five different ways—[the witness was here interrupted by the Committee, and told that the Committee did not care for a statement of the law.]

Examination by Mr. Senn: Q. You said that there was no section, except section 42, that anybody could base any action on? A. Yes, sir.

Q. And before that you stated that the attorney general had referred you to section 27, which would imply that he was nobody? A. No, sir; I did not intend to imply any such thing. Section 27 is the broadest section which describes manslaughter. He referred me to section 27 as being the section which might have described the crime which would have been committed, had anybody died. [Witness here reads section 27 of chapter 31, as follows:]

"Every other killing of a human being by the act, procurement or culpable negligence of another, which would be manslaughter at the common law, and which is not excusable or justifiable, or is not declared in this article to be manslaughter in some other degree, shall be deemed manslaughter in the fourth degree."

And stated further: "I think that section is the broadest section, and the only one that the parties might have been guilty under, if death had ensued."

By Mr. Rice: Q. I should like to know, Mr. Elliott, whether it is the usual practice of the courts to know positively, so that the matter may be proven, that a crime has been committed before a warrant can be issued? A. That is entirely with the county attorney. And I can say to you positively that so far as I know a county attorney never authorizes the issue of a warrant until he knows positively that a crime has been committed.

Q. Then I would understand by that that the assertion made by the individual who offered the information that he could furnish proof of the crime would not be sufficient ground upon which to base a warrant in order to ascertain the truth of that assertion? A. You do not state the facts in your question. He did not say he could furnish proof that these parties were the ones that had committed the crime; he said he could furnish proof of the fact that they left this box there, but that they had no intent to hurt anybody with it, and that they did not intend to destroy the property with it, and that they told the express agent to be careful with it.

Q. There is another idea strikes me there. Would it not seem very unreasonable that the box of dynamite, or any other explosive of that kind, could go through an express office and not endanger the lives of the individuals handling it? Would it not be, in a manner, criminal negligence on the part of the parties who left it there? A. Not if they warned the agent to be careful with it and told him it contained glass and told him not to throw it on a dray; but I want you to know that there is scarcely a state in the Union that does not have laws passed specifically laying down certain regulations to be observed in the transportation of any and all kinds of explosives, and there are none of these laws in the state of Kansas. And there is no law in the state of Kansas that requires of any man anything more than proper care in the transportation of explosives.

Examination by Mr. Dawes: Q. State whether or not you were influenced in your action concerning this dynamite explosion by any political party or any political influence of any kind or nature whatsoever? A. No, sir; I was not.

Q. Or by reason of your friendship for any officer, candidate, or person whatsoever? A. No, sir.

Q. When you had your conversation with Judge Chandler, in which you say that he coincided with your views, did you state to him the whole of what Mr. Highleyman claimed the facts to be? A. Yes; I stated fully, truly and completely.

Q. I understand you to say that Mr. Highleyman said that one of the parties was in Ohio, and the other one in West or Old Virginia. Now which one of the parties did he claim was in one of the Virginias? A. Well, I am not positive about that. My recollection is that Mr. Henrie was the man that was in the Virginias; I am not positive, however.

Examination by Mr. Henderson: Q. You, Governor Humphrey and Judge Chandler all live, or did live in 1888, in the same city and county, and you were all members of the Republican party, and Governor Humphrey was a candidate for governor of the state of Kansas? A. Yes, sir.

Examination by Senator Kimball: Q. Did any person, Governor Humphrey, Mr. Booth, who was then chairman of the Republican state central committee, Mr. Hutchins, who was secretary of that committee, or any other person, ever say anything to you, the effect of which, or the substance of which, was that they did not desire that the perpetrators of this outrage should be brought to justice; or had any person ever sent you any communication of any kind about that or to that effect? A. I answer that question by saying no. All the communication I got was from the attorney general, S. B. Bradford, and he said, prosecute the parties.

The Committee adjourned, to meet at 10 o'clock the next morning.

TOPEKA, KANSAS, Thursday, Feb. 26, 1891.

Committee convened pursuant to adjournment, all the members present, and thereupon proceeded with the further taking of the testimony.

MR. ERGENBRIGHT, having been duly sworn, testified as follows. Examined by Mr. Henderson: Q. You may state your name to the Committee. A. My name is O. P. Ergenbright.

Q. Where do you reside? A. Independence, Kansas.

Q. How long have you resided at Independence, Kansas? A. For the greater part of twenty years.

Q. What business, if any, have you been engaged in for the last few years? A. In the practice of law.

Q. What official position, if any, did you hold in Montgomery county during the years of 1889 and 1890? A. County attorney.

Q. Are you acquainted with Mr. Highleyman? A. I am.

Q. Did you have any conversation with him in relation to the Coffeyville dynamite explosion shortly after you entered upon the duties of your office as county attorney? A. I had a conversation with Mr. Highleyman about the last of March, 1889, some two months and a half after I became county attorney.

Q. What month? A. The month of March, 1889.

Q. Where did that conversation take place? A. In the consultation room of the Montgomery court house.

Q. Was there any person besides yourself and Mr. Highleyman present? A. Yes, sir.

Q. Who? A. Mr. H. Vincent.

Q. You may now state to the Committee in your own way that conversation, or as much thereof as you now remember. A. I can only give it in substance, and would preface a statement of the substance of that conversation by saying it was during the March term of court of Montgomery county, Kansas, and it was immediately after the afternoon adjournment of that court. The conversation was a hurried one; that is to say, I was in a hurry and Messrs. Highleyman and Vincent seemed to be. They called my attention to the explosion of October 18, 1888, at Coffeyville, and special inquiry was made by one or the other of these gentlemen if upon a sufficient showing a prosecution would be instituted. I answered them that it would. A statement was then made by one or the other of these persons, I am not certain which one, that sufficient proof of the identity of the person who left the explosive at the express office in Coffeyville was in their possession. My impression is that the names of C. A. Henrie and George W. Poorman were mentioned in that conversation by them as persons who were connected with the depositing of that explosive in the express office. The statement was made that C. A. Henrie was then in the employ of the state of Kansas as a clerk in some one of the state offices or commissions, and that Poorman was in the state of Ohio. I think the statement was made either that one of these persons had the confession of George W. Poorman, or that Poorman, if arrested, would confess. Mr. Highleyman made some suggestion in reference to an amendment of our statute relative to procedure in the issuance of requisition. I remember replying to him that the session laws of 1889 had not yet been issued or received there, and that I had not yet been advised of any amendment of the statute as suggested, but that I would ascertain if any change had been made, and that as soon as I had been advised fully as to that I would write him. That is nearly as I can remember the conversation that we had. I may add that my recollection of that conversation is not definite and certain, but I am quite sure I have given correctly the substance of all that was said.

Q. Is or is it not a fact that in that conversation one or the other of the gentlemen whom you have mentioned as being present and in conversation with you offered to file a complaint against the parties supposed to be guilty of the charge? A. I have an impression that some statement of that character was made, but my recollection as to that is indistinct.

Q. Did you offer or consent to prepare a complaint as requested at that time? A. There was no request made that I prepare a complaint. I said to these gentlemen that if any testimony or evidence sufficient conclusive of the guilt of any person were submitted to me, that I would prepare a complaint, and I think something was said in the conversation by one of these gentlemen, if I would subscribe and verify it, and I think I also stated that I would myself subscribe and verify a complaint if evidence to my mind sufficiently conclusive of the guilt of any person were submitted to me.

Q. Did they not at that time offer to you a prepared complaint, and at the same time offer to subscribe to the contents thereof? A. They did not.

Q. Was there anything said in that conversation about having a complaint prepared? A. Only as I have suggested.

Q. Do you now state to the Committee that what you have said about that particular subject-matter is all that was said? A. I did not say that was all that was said, but it was the substance of all that was said.

Q. You were a candidate for county attorney in the fall of 1888? A. Yes, sir.

Q. And was elected at the November election? A. Yes, sir.

Q. You made speeches in the county of Montgomery during that campaign, did you not? A. I think I made one.

Q. Only one? A. Yes, sir; and I had such a poor opinion of that I did not repeat it.

Q. Was that speech made before or after the explosion at Coffeyville? A. Long before, and in no way connected with the explosion.

Q. Did you converse with any parties after the explosion as to the supposed guilty parties and before the election? A. Why, sir, I think it was the subject of discussion on the streets of the town and in our county. I may have talked and speculated as to the object and the author.

Q. Do you now remember whom you charged in this conversation with being the probable person who was directly or indirectly connected with the explosion? A. Your assumption is not well founded.

Q. Did you charge anyone? A. Not that I now remember.

Q. Is it not a fact that on the streets of Independence, and after the explosion and before the election, that you talked freely, and in such discussion and conversation charged that the Vincents, of Winfield, were directly or indirectly connected with the explosion of the dynamite at Coffeyville? A. I do not remember that I made any such charge. I do remember that at the time of the explosion there seemed to exist, and there was proven to me to exist a secret order known as the "Videtta," and I think I was at that time convinced that the Vincents were members of that order, and I think I was also convinced on that occasion that the order was composed of persons belonging to the Union Labor Party, and it is possible that being so convinced I may have connected the secret work of that order with that explosion; but I cannot remember of making any such statement.

Q. Do you say to this Committee that you did not make any charge in which you directly charged the Vincent Bros. as being the instigators of that crime? A. I did not.

Q. Did you indirectly charge the Vincent Bros. to be guilty of that crime? A. I did not say.

Q. Do you say to the Committee that you did not? A. I did not say that I did not indirectly.

Q. Had you ever seen Mr. Henry Vincent prior to the time he visited you at your office? A. I think I had.

Q. Have you ever had any conversation with him? A. I do not think I have.

Q. You had a more or less prejudice against him at the time he came to your office, did you not? A. I had not.

Q. Isn't it a fact, Mr. Ergenbright, that you then had in your mind a feeling of prejudice against Mr. Vincent by reason of the further fact that you had connected with him indirectly with an explosion at Coffeyville? A. I do not think I had connected him indirectly; I have suggested how it is possible I may have connected him with the explosion through the existence and objects and purposes of the secret organization I have called your attention to, but I am very certain I had no prejudice against Mr. Vincent when he came to my office with Mr. Highleyman.

Q. That was after the election? A. That was after the election.

[Handing witness "Exhibit 4."]

Q. I will ask you to state to the Committee if that is your handwriting? A. It is.

Q. I will ask you to state to the Committee if you directed this envelope? [showing witness the envelope, which is a part of Exhibit 5.] A. I did.

Q. And mailed to the person there named? A. I directed it—I presume I mailed it.

Q. I will ask you to state to the Committee if you wrote that letter? [handing witness Exhibit 5.] A. I did.

Q. Now, going back, Mr. Ergenbright, to the time of this interview with Mr. Vincent and Mr. Highleyman, I will ask you to state to the Committee how long you were in consultation. A. I do not remember.

Q. Do you remember about how long? A. I do.

Q. Please state to the Committee about how long you were thus engaged? A. I should say thirty minutes.

Q. At whose instance was the conversation interrupted and the separation of you gentlemen? A. Well, I do not know that our dismemberment was at the instance, particularly, of any of us. I cannot remember now the immediate cause of our separation.

Q. To refresh your recollection, I will ask you now if you remember what time in the day it was that you had this conversation? A. I have stated it was, as I remember, after the afternoon adjournment of our district court; but upon reflection I am not quite sure that that statement is correct. It may have been while there was a trial in progress in which I was interested. I am not quite sure as to that.

Q. Do you remember whether or not it was your desire to leave the city that evening? A. I think it was not.

Q. Isn't it a fact, Mr. Ergenbright, that you suggested to these gentlemen that you were compelled to go to Coffeyville that evening, and that you would see them again? A. It is not.

Q. Are you positive about that? A. I am.

Q. Do you remember of having seen either of these gentlemen, or being in consultation with either of them afterwards? A. Yes, sir; with one of them.

Q. Which one? A. Mr. Vincent.

Q. When was that with reference to the first consultation you had with the two? [Witness refreshing his recollection as to date by looking in a newspaper.] A. About from one month to six weeks, I would think, after the first conversation with Mr. Vincent in the presence of Highleyman, I saw Mr. Vincent again; I would not be certain as to the length of time that had elapsed from the interview when Highleyman was present.

Q. Do you remember what time in the day it was that you held this conversation with Mr. Vincent? A. I do.

Q. What time of day was it? A. It was about 6 o'clock in the afternoon.

Q. How long did you remain in consultation with him that time? A. A short time only; I cannot say just how long—15 to 20 minutes.

Q. When was that consultation? A. I would have supposed it to have been in June, 1889, but I would not be sure; but I think a month or six weeks, or two months after the conversation with him, when Mr. Highleyman was present.

Q. When was that, with reference to the preparation by you of Exhibit No. 5? A. It was long after that consultation.

Q. How long after that? A. Well, a month, I would think.

Q. Now, to refresh your recollection, I will ask you to state to the Committee whether it was not about the 10th day of June, '89, that you had this consultation with Mr. Vincent? A. I cannot say; it might have been the 10th of June, the 20th of June, or the 20th of May.

Q. Do you remember the date of Exhibit No. 5 that has been handed you? [Again referring to Exhibit No. 5 and a newspaper.] A. Well, this exhibit bears date June 19th, 1889; but the second interview with Mr. Vincent that you have called my attention to was at a time after this was written.

Q. Now, I desire to modify my former question by asking you if the interview which you have already related, between yourself and Mr. Vincent, did not take place on the third day of June, 1889, instead of the 10th, as I have mentioned

before? A. Well, I cannot be certain as to the day of the month, but it now impresses me that it was after Exhibit No. 5 was written.

Q. Was it not long before Exhibit No. 5 was written? A. I have already answered that.

Q. Was it not long before? A. I think it was not, but I would not be entirely certain about it.

Examination by Mr. Dawes: Q. Did you have more than one interview with Mr. Highley? A. I did not.

Q. This Exhibit No. 5 seems to be a letter written by you to Mr. Highleyman? A. Yes, sir.

Q. You may state whether or not there is any other correspondence, or was any at the time, between you and Mr. Highleyman? A. Yes, there was some other correspondence between myself and Mr. Highleyman.

Q. How many letters did you write to Mr. Highleyman? A. I do not remember certainly; some three or four, I suppose.

Q. Was there any correspondence between you and Mr. Henry Vincent? A. Yes, sir.

Q. About how many letters did you write to Mr. Vincent? A. About the same number; I do not remember exactly the number.

Q. Have you any way that you could ascertain the number of letters written? A. Yes, sir; I think so.

Q. In what way? A. By an examination of the *Winfield Daily Courier*, that I have handed you.

Q. Did you keep a copy of the letters written to Highleyman and Vincent? A. I kept copies of all of them, but I am not sure that I now have all of the copies of the letters I have written, but the letters published in the *Winfield Daily Courier*, of Winfield, Kansas, of September the 9th, 1889, are true copies of all the letters written by me or received by me in correspondence with Mr. Vincent and Mr. Highleyman, except one note from Vincent to myself that at the time of that publication I had lost.

[Counsel then offered in evidence the correspondence between the witness and H. Vincent and I. D. Highleyman, as published in the *Winfield Daily Courier*, published at Winfield, Cowley county, Kansas, Monday, September 9, 1889, said correspondence, as published, being received without objection by either party, and to have the same force and effect as the original letters.]

The witness answered further: The papers contain all the correspondence except the note, which I did not have at the time the correspondence was published, but which I have since found.

[The note was introduced in evidence, and marked "Exhibit No. 7."]

The correspondence referred to is as follows:

INDEPENDENCE, KANSAS, June 19, 1889.

Mr. J. S. Highleyman, *Chetopa, Kansas*—DEAR SIR: In performance of the promise heretofore made you, I write to say that I am ready to prosecute any complaint that you may see fit to file in this county against the authors of the Coffeyville dynamite affair. A requisition can only issue after complaint made, and the return of a warrant showing that the defendants cannot be found in this county. If you will come to this city, and subscribe and be sworn to such complaint, as in my opinion the facts warrant, I will cheerfully do all that I can to convict the parties charged. The one now resident in Kansas should not be disturbed, or informed in any way, until the Ohio gentleman is got.

Very respectfully yours,

O. P. ERGENBRIGHT, *County Attorney*.

WINFIELD, KANSAS, 7th, 8th, 1889.

Mr. Ergenbright—DEAR SIR: I expected to be in your city again before this, but former engagements prevented Mr. H. from being able to join me. I will, however, see Mr. H. and with him try to have a final interview with you before Friday of this week. I say final interview—by this I mean one in which we may canvass the whole case carefully, and decide what can be done. I would sug-

gest as a test, and to save the county expense, that through your acquaintance and official connection you secure, if you can, the photographs of C. A. Henrie, and also the other associate in the same office with him, and send them, with several others, to Mr. Upham. I am of the opinion he will give a candid reply whether or no he recognizes either. We have withheld further comment in print until after we arrive at a definite understanding. In the meantime we shall hope to have our case in shape to meet your approval without much further delay.

Yours very truly,

H. VINCENT.

INDEPENDENCE, KANSAS July, 21, 1889.

Mr. H. Vincent, Winfield—DEAR SIR: Since you were last in my office I have received two letters from you, in the first of which, under date of the 8th inst., you fixed upon Friday, the 12th, as a day when you and Highleyman would hold a "final interview" with me in reference to instituting a prosecution against the authors of the Coffeyville "dynamite affair," in which you would lay before me all the evidence in your possession touching the guilt of Henrie, Poorman, *et al.* Under the date of the 15th you wrote from Chetopa an explanation of your failure to appear on the 12th, in which you say that "Highleyman is in the Territory, and will not be here for a day or two; will then be over again." Six days have elapsed since the first letter was written, and I have not been favored by a visit or any communication from either of you. At no time have either you or Highleyman disclosed more than mere hints as to the extent or character of the evidence upon which you rely to convict anyone; and, although I announced to both of you nearly two months ago my readiness to prosecute the suspects whenever evidence reasonably conclusive of guilt should be furnished me, I am now quite as ignorant of what you may be able to prove as I was then. In the meantime the good name and fame of the people of this county, and of its executive officers in particular, have suffered from the statements published in your paper, which statements are either based upon proof in your possession, or in Highleyman's, or are maliciously and libelously false. I do not express my opinion as to which condition is true, but I respectfully demand that if you or Highleyman have in your possession, or within your reach, evidence that in your judgment or his is reasonably conclusive of the guilt of any person or persons, of whatever condition, situation or political affiliation, you submit it to me without further delay; and I here and now renew the promise repeatedly made you, that if, upon examination, I find your estimate of the force of the evidence offered is correct, or regardless of your estimates, if I should for myself find in it sufficient proof of guilt to warrant a criminal prosecution, I shall, without fear or favor, prosecute immediately the person or persons affected by it. Unreasonable delay in offering proof of your published indictment can only lead to one result.

Very respectfully yours,

O. P. ERGENBRIGHT, County Attorney.

E. P. Ergenbright, County Attorney, Independence, Kansas—DEAR SIR: Your line of the 21st is here, awaiting my return. I was in your city last evening, the train from Coffeyville being delayed. I did not reach Independence 'till after court had adjourned and every one had gone to supper. Before replying to your letter, will deliver the message as instructed by Mr. Highleyman, viz.: That he desires you to draw up the necessary papers, such as you will require, and forward to him a copy at your earliest convenience. You refer to the length of time between your calls or letters, and invite expedition in our movements. In my last to you I explained the absence of Mr. H., and the next day I received a letter from him, calling me over as he was home and ready to act. I could not get away until Saturday, when I went over and not only saw him but with a stenographer took his statement of evidence, which he is willing to swear to. The distances that lie between our respective places of business are annoying obstruction, and we trust you will remember that I have made now four trips to Independence and twice that many to Chetopa, and am about done until some action is taken. Mr. Highleyman has been to see officials in your county, since the explosion, till he has given up courage. The time for action was when he applied to Mr. Elliott, but was put off with a paltry excuse that no crime had been committed, and a still more absurd request that "some one" in Montgomery county make the complaint. When a man is on deck fearing arrest and ready to turn State's evidence, is the time to do the work, and not put off by such subterfuges as indulged by your predecessor. You will remember when Mr. H. and myself called, you were in such haste that no presentation could be made. Then when I called upon you again, had very little time at your disposal, and we both dislike to have you forget that our regular duties do not call us to Independence every day, and it not only costs outlay of cash, but time from regular business that cannot be spared, for the sake of running the chances of only a few moments of your attention when we do arrive. You speak of the evidence not only being hinted at. What Mr. H. has he is ready to submit, and as I said, has received repeated and urgent request from his associate in Ohio to hurry up the papers. So far as any statements that have appeared in our columns, we have the proof in writing duly accredited and certified, and shall be pleased to have their veracity called into question. Hoping you may bring matters to a focus with Mr. H. and ultimately sift the case to the bottom,

I am very respectfully at your service,

H. VINCENT.

INDEPENDENCE, KANSAS, July 30th, 1889.

Mr. H. Vincent, Winfield—DEAR SIR: Yesterday I saw Mr. Highleyman, at Coffeyville. He left the impression upon my mind that he is wholly indifferent in the matter of the prosecution of persons charged with the dynamite affair at Coffeyville, and I am firmly convinced that he will not be complainant against anyone. Now assuming that I am correct as to Mr. Highleyman, what are you going to do? Will you furnish me the testimony you claim to have, or not?

An early answer will oblige.

Respectfully yours,

O. P. ERGENBRIGHT.

WINFIELD, KANSAS, August 5th, 1889.

Mr. Ergenbright—DEAR SIR: Your line of a few days since was referred to Mr. H., with request to communicate at once with you, which I presume he has. Did you send him such papers as you desired him to sign and make oath to?

Yours respectfully,

H. VINCENT.

INDEPENDENCE, KANSAS, August 21, 1889.

Mr. Highleyman, Chetopa—DEAR SIR: In the matter of the alleged guilt of Poorman, Henrie and others, in the Coffeyville dynamite affair, I write to inquire if you are willing to furnish me any evidence that you have, or direct me where any can be obtained, sufficiently conclusive in character in your judgment to warrant a prosecution. I feel seriously concerned in doing all in my power in bringing the guilty persons to justice, whomsoever they may be. I will thank you to answer at your earliest convenience. If you have such evidence and will disclose it to me, I will come to Chetopa at any time you may name.

Very respectfully,

O. P. ERGENBRIGHT.

INDEPENDENCE, KANSAS, August 26, 1889.

Mr. J. D. Highleyman, Chetopa—DEAR SIR: Will you, or will you not, furnish me the proof you may have as to the authors of the Coffeyville "dynamite" explosion? I would thank you to answer this question at once.

Yours truly,

O. P. ERGENBRIGHT.

CHETOPA, KANSAS, August 28, 1889.

O. P. Ergenbright, Independence, Kansas—DEAR SIR: Yours 28th inst. received, and am surprised at its contents. For my part I am unable to use language to express my willingness to do all in my power to aid you in this matter any stronger than in my former letter.

Yours truly,

I. D. HIGHLEYMAN.

CHETOPA, KANSAS, August 26, 1889.

O. P. Ergenbright, Independence, Kansas—DEAR SIR: Your letter of the 21st inst. received, and would have answered sooner, but I have been away from home and this is my first opportunity. Regarding this Coffeyville matter, will repeat what I said to you and others, viz., that I am done with this case and do not care to bother with it any more. There is no doubt that if Henrie is arrested and is tried before an impartial jury, that he would be convicted, provided the evidence of Poorman could be had, and some others in Ohio. I am ready and willing to give you all the assistance in my power to bring the guilty one to justice, and if complaint had been made long ago, it would have been much better, but even now, the circumstantial evidence alone, in my judgment, is sufficient to convict Henrie. You may depend on me doing all I can for you if an arrest is made, and if you think best I will go after Poorman and other evidence there which would be important.

Yours truly,

I. D. HIGHLEYMAN.

TOPEKA, July 19, 1889.

O. P. Ergenbright, Esq., Independence, Kansas—MY DEAR SIR: As you know, certain parties from Winfield are publishing the statement that they have the evidence to convict Henrie, and perhaps others, of the crime of having conspired to kill, by the explosion of the bomb at Coffeyville, last fall. They also charge some measure of responsibility to myself and others, at the time prominently connected with the Republican campaign of last year. Last of all, they substantially allege that they have asked the proper officers of Montgomery county to commence criminal proceedings in the matter, and they have refused. Now, of course, from my knowledge of your official capacity and personal character, I am sure this allegation of your refusal, etc., is not true. Yet, I desire to say that I hope you will give such parties the fullest opportunity to be heard, and if they are armed with evidence pointing with reasonable certainty to the guilty party or parties on which a conviction could probably be secured, proceed just as you would in any other case for any other party or parties. I hope you will not fail to institute the proper proceedings, and render any aid in your power, regardless of personal or political considerations. "Let no guilty man escape."

Yours truly,

LYMAN U. HUMPHREY.

EXHIBIT NO. 7.

CHETOPA—7—15—A. M.

MR. ERGENBRIGHT: I have wondered why no word came to me from Mr. Highleyman in response to letter or telegram, but I find he has been attending to some Indian matters in the Territory for two weeks, and will not be home for a day or two. Will then be over again. Yours, H. VINCENT.

Now I will ask you to state to the committee whether at any time Mr. Highleyman, or Mr. Vincent, or any parties acting for them, ever at any time furnished you with what they claimed to be testimony sufficient to convict any person of an offense connected with the Coffeyville explosion? A. I will say that Mr. Vincent nor Mr. Highleyman did not at any time submit for my consideration the evidence that they claimed to have. At the second interview a Mr. Wiley was present, and I might say that he is politically an Alliance man and lives near Independence, Kansas. I demanded from Mr. Vincent that he submit for my consideration all the evidence that he claimed to have in his possession. He, at that time, claimed that he was expecting Mr. Highleyman to meet him at Independence, and he deferred any disclosures of what he claimed to have in his possession until Mr. Highleyman should appear. He expected him on the next train. At the time of that interview I was under an engagement to go to Coffeyville on a train then nearly due. Mr. Vincent left the impress upon my mind that he would remain in Independence until Mr. Highleyman should return from Chetopa, and in view of that explanation I promised also that I would return from Coffeyville that night so as to be in Independence the next day. The next day was the Sabbath. This interview must have occurred on Saturday evening. He distinctly stated to me that when Mr. Highleyman should appear he would submit for my consideration the evidence that he claimed that he had. I never saw Mr. Vincent, to my knowledge, since that evening when I went to Coffeyville, with the understanding that I should see him on my return, and I have never seen him until I met him in this room less than a week ago.

Q. You may state whether, subsequent to the last interview with Mr. Vincent, you ever saw Mr. Highleyman. A. I did.

Q. How soon after the interview with Vincent? A. I cannot say definitely, but I would think it was in the month of August.

Q. And when was the interview with Vincent? A. I am somewhat at sea about the exact time of that interview.

Q. About how long ago? A. I think the last interview with Vincent was in the month of June, and I think the next time I saw Mr. Highleyman — that was in August.

Q. Then he did not come, as had been expected by Mr. Vincent? A. I do not know whether he came or not.

Q. Did not present himself to you? A. He did not.

Q. Well, at the time you say you saw him you think was in August. Was there anything said at that time between you and Mr. Highleyman concerning the testimony they claimed to have? A. Yes, sir.

Q. State what it was? A. I do not know that I can state definitely. I saw Mr. Highleyman in Coffeyville, and called his attention to the fact that Mr. Vincent, when last at my office in Independence, had said that he expected him, Mr. Highleyman, to meet him there, and that they then would submit for my consideration the evidence they claimed to have in reference to the explosion at Coffeyville. I think I said to Mr. Highleyman that I had not seen him there; that I had seen no evidence nor heard any statement of any. I think Mr. Highleyman had not appeared at Independence to meet Mr. Vincent. I think that Mr. Highleyman did not, in that conversation, in any way indicate to me the character or extent or weight of the evidence that he might have against any one. And I desire further to say, in reference to that conversation, that Highleyman's words and manner distinctly impressed upon my mind that he was then very indifferent about whether a prosecution should be instituted or not.

Q. Did Mr. Highleyman or Vincent at any time state to you the nature of the evidence? That is, as to what shape the evidence was in, whether by confession or

otherwise? A. I think that in the first interview a confession by Poorman was suggested, but not the details of what he had confessed; nor do I think there was any statement by any one of them as to what this evidence would prove in connection with that explosion; the statement was a general one, if I remember correctly, that either Mr. Poorman had confessed or was about to confess.

Q. Now you may state whether or not, at any time, you demanded from Mr. Highleyman or Vincent a statement of what they claimed the confession to be? A. I did; both orally and in writing.

Q. And what did they say? A. Why, I do not remember distinctly, but Mr. Vincent in the second interview deferred any disclosures of what he claimed the evidence to be until the arrival of Mr. Highleyman, in response to a written demand that he submit for my consideration the evidence that he claimed to have, and he referred me by letter to Mr. Highleyman. In further answer, I may say that the language that I used in the demand made upon Mr. Vincent was as follows: "I respectfully demand that if you or Highleyman have in your possession, or within your reach, evidence that in your judgment or his, is reasonably conclusive of the guilt of any person or persons, of whatever condition, situation, or political affiliation, you submit to me without further delay, and I here and now renew the promise repeatedly made you, that if, upon examination, I find your estimate of the force of the evidence offered is correct, or regardless of your estimate if I should for myself find in it sufficient proof of guilt to warrant a criminal prosecution, I shall without fear or favor prosecute immediately the person or persons affected by it"—[the witness was here interrupted and asked if the letter from which he was reading was not one of those already introduced in evidence.] Counsel stated that the letter had already been introduced in evidence. The Committee decided that it was not necessary to have the letter read further]. A statement was made that the witness was probably reading this letter in his own vindication, and to this the witness replied, "I consider the arraignment that I have been subject to an honor."

Q. Now in response to the demand that you have made on these parties, was this confession or any portion of it, as they claimed it to be, ever submitted to you for inspection or investigation? A. No, sir.

Q. Now you may state whether a demand was made upon you to prepare or file a complaint charging anyone with a crime in connection with the Coffeyville dynamite explosion. A. I can answer that yes or no, Mr. Dawes. I may say, however, that the object apparently, of the visit of Mr. Highleyman and Mr. Vincent was to ascertain whether I would permit a complaint to be filed, or would prosecute one when filed, and the conditions under which a prosecution might be instituted; and generally speaking I would say that in that first interview there was an understanding expressed that upon a sufficient showing as to the guilt of any person, that a complaint would be filed. I do not remember specifically—I think Mr. Highleyman announced himself ready and willing to file a complaint. I think I also stated that if they had sufficient proof showing the guilt of any persons in connection with the explosion, and that I would myself file a complaint, subscribe and verify it. My recollection as to that part of the conversation, in reference to the preparation to the filing of the complaint is indistinct, but I may say that at that time and from that time as long after that I had anything to do with these gentlemen, was my understanding that Mr. Highleyman would at any time subscribe a complaint, upon my being satisfied with the sufficiency of the evidence they claimed to have. And it was also my understanding and my purpose, in case they submitted proof sufficient to warrant a prosecution, to file a complaint myself if they did not.

Q. Did you ever at any time directly or indirectly refuse to prosecute in this matter? A. I did not.

Q. Then if you were ready and willing at any and all times to prosecute this matter, you may state why no prosecution was begun. A. Because no evidence was at any time submitted showing the guilt of anybody.

Q. I will ask you if you were influenced in any way against prosecuting this matter by Governor Humphrey, Governor Felt, Secretary Higgins, Attorney General Bradford, or any other state officer, or by any republican or democrat, or by any party of prominence belonging to any other political organization in this state? A. No, sir; on the contrary, Governor Humphrey, and leading republicans and democrats, and the most sensible union labor men of Montgomery county, urged me to prosecute whenever sufficient proof might be submitted showing me the guilt of anybody. Governor Humphrey particularly, in a letter contained in the *Winfield Courier* of September 9th, 1889, wrote me urging me to prosecute, if sufficient proof should be offered me warranting it.

Q. Is the letter dated July 19, 1889? The letter to which you refer? A. Yes, sir.

Q. I will now offer the letter dated July 19, 1889, published in the *Winfield Courier* of September 9, 1889, that being the paper marked "Exhibit No. 6." I will now ask you to state whether this is a true and correct copy of the letter from Gov. Humphrey? A. It is. It is considered in evidence and made a part of the record. I am assuming that this Committee is desirous only to ascertain the facts in connection with the attempt of the officers of our county to find the persons who were responsible for that explosion; that from the 14th day of January, 1889, until the 12th of January, 1891, a ceaseless effort was made by some of the officers of that county, among whom was the county attorney, to ascertain who, in fact, if anyone, left that box at that express office. I satisfied myself as to what the facts were, yet I never have been able to obtain sufficient proof to warrant a prosecution.

Examination by Mr. Henderson: Q. You say that from the 14th day of January, 1889, up to the 12th of January, 1891, the officers of Montgomery county made ceaseless effort to ascertain the guilty party in this affair? Is that the substance of your statement? A. It hints in the direction of my statement. I said that from January, 1889 and 1891, and not 1890, some of the officers had made ceaseless efforts.

Q. I will ask you to state to the Committee if, during that period of time you, as county attorney of that county, had any conversation with Mr. Upham? A. I did not.

Q. Did you ever have any conversation or consultation with Mrs. Upham? A. I did not.

Q. Did you have any conversation or consultation with Miss Mabel Upham? A. I did not.

Q. Did you during that period of time know where they were residing? A. Not all of that time.

Q. Did you know any part of that time? A. I did, I think.

Q. Where were they at the time of the transaction, if you know? A. I knew all the time where they resided.

Q. At any part of that time were they in Coffeyville, in your county? A. I think so.

Q. How much of that time? A. Well, according to the information that I had, they were there six months, perhaps.

Q. The distance between Independence and Coffeyville is not to exceed fifteen miles? A. Yes, sir.

Q. How much? A. Well, it is about sixteen miles.

Q. Were you in Coffeyville frequently during the time that you know of the fact that Upham resided there? A. Yes, sir.

Q. Did you know where he resided? A. Yes, sir.

Q. Did you not go to the residence for the purpose of seeing them? A. No, I do not hunt ducks with a brass band.

Q. That is your answer to it? A. Yes, sir.

Q. Well, now I will go to another branch of the testimony. You say that Mr. Vincent, or Mr. Highleyman, never gave you a statement of the facts in the case? A. What case do you refer to?

Q. The one, sir, in which you had been consulted by Mr. Highleyman and Vincent. A. I had an interview with these gentlemen.

Q. Now, I will ask if you had in mind any case that was submitted to you by either of these gentlemen? A. Why, I think, Mr. Henderson, that they submitted no case to me at all. I can hardly say the word with reference to the interview.

Q. If they did not, then I will ask you how you came to use the following language in your letter of June 19: "In performance of the promise heretofore made you, I write to say that I am ready to prosecute any complaint that you may see fit to file in this county against the authors of the Coffeyville dynamite affair." Why did you use that language? A. Why, I used that language because, I suppose, I had made them a promise, and was willing to fulfill it.

Q. Then they had consulted you upon some crime, had they not? A. I have already testified in reference to the explosion at Coffeyville and what they claimed was a crime.

Q. Now, then, I will ask you to state to the Committee again, did they at any time make a statement of the facts to you? A. They did not.

Q. Then if they did not, why was it that you used this language in your letter of July 19th, marked "Exhibit 5": "If you will come to this city, and subscribe and be sworn to such complaint as in my opinion the facts warrant, I will cheerfully do all that I can to convict the parties charged"? A. Because I supposed from what they had said, that after I had been advised with reference to the alleged amendment of our statutes relative to the issuance of requisitions, that I would be able to obtain from Mr. Highleyman and Mr. Vincent the evidence they claimed to have; and if such evidence were presented to me, such facts that I could predicate upon—or to answer somewhat differently—if Mr. Highleyman would come to our county and submit to me proofs sufficient to warrant a prosecution, I would draw a complaint and he might subscribe to it.

Q. Now at the time of writing this letter, calling your attention to "Exhibit 5," I will ask you if the facts had not been stated to you? A. They had not.

Q. Then I will ask you again why you used the language, "The one resident in Kansas should not be disturbed or informed in any way until the Ohio gentleman is got"? A. Simply because they had mentioned to me the fact and given me the names of C. A. Henrie and George W. Poorman in connection with the affair, but had not in any way disclosed to me the facts against either of them. and I used that language because I thought it was better to get Mr. Poorman before Mr. Henrie was disturbed, in case the facts warranted a disturbance of either of them.

Q. Did they not inform you in that interview or consultation that the evidence was to come from the confession of Poorman? A. I don't think that they put it in that form. My impression was that they claimed to have, or expected to get, a confession from Poorman on which to predicate a prosecution; that is the impression that is left on my mind now.

Q. [Handing the witness Exhibit No. 5.] I will ask you to state to the Commit-

tee if that letter was written on the date it bears? A. I presume it was; I am not certain.

Q. Now, you say the second interview that you had with Mr. Vincent, a Mr. Wiley came with him to your office? A. I think so.

Q. And he is the Wiley commonly known in Montgomery county as "Bud Wiley?" A. Yes, sir.

Q. Has he resided in Montgomery county a great many years? A. I think so.

Q. He is now and has been a reputable gentleman, has he not? A. I think he was not.

Q. Are you acquainted with Mr. E. P. Greer? A. I am.

Q. How long have you been acquainted with him? A. I cannot say certainly.

Q. About how long? A. I think I met Mr. Greer in Winfield some years ago; something like twelve years ago, and did not see him until last Thursday or Friday in this city.

Q. Did you have any correspondence with him prior to the 9th day of September, 1889, relative to the Coffeyville explosion? A. I received a letter from him prior to the date you mention.

Q. When was that letter received? A. Why, I cannot give the date of its reception; sometime prior to the 9th day of September, 1889.

Q. Did you reply to that letter? A. Yes, sir.

Q. Did receive any other correspondence or communication from Mr. Greer? A. I did not.

Q. Then the correspondence between yourself and Mr. Greer simply consists of the letter from him to you and your reply thereto? A. Yes, sir; that is my recollection. I may state also that his letter to me contained a disclosure in the nature of a lot of interrogatives.

Q. This correspondence that you had with Mr. Greer was after the conclusion of your correspondence with Mr. Vincent and Highleyman? A. I think it was, I will not be sure.

[Here calling the witness's attention to "Exhibit No. 6," an envelope.]

Q. I will ask if it contained the letter to E. P. Greer? A. It purports to be the one, I believe.

Q. Now I will ask you how it happened that this publication of September 9th, 1889, contained the correspondence between yourself and Mr. Highleyman and Mr. Vincent? A. Why, because the publication was after the correspondence with these gentlemen.

Q. How did Mr. Greer get that correspondence? A. I sent him copies.

Q. At whose instance? A. I think I did it at my own instance. I think the correspondence included my first letter relative to the Coffeyville explosion. I think I sent, at my own instance, the full correspondence for publication.

Q. And this was brought about by reason of the letter you received from Mr. Greer? A. Not wholly, that was one cause. Another was the howl that was being made on the officers of Montgomery county for failing to prosecute persons that some people claimed were guilty of the cause of that explosion, and the good name and fame of the people of our county, and even some of the executive officers was somewhat at stake, and I thought it only fair that the world should know what effort had been made and what opportunity had been afforded these gentlemen to come into court with their complaints.

Q. Why didn't you publish this correspondence in papers that were published and circulated in your own county, where the howl was made? A. The howl was not being made so vigorously in our own county, apparently, as in some other parts of the state. I remember some one in Butler county sent me a marked copy of a

paper criticizing the Messrs. Vincent in publishing what they had with reference to Governor Humphrey, and was substantially — [the witness was here interrupted by counsel and told not to make a speech. There was some discussion as to the materiality of the testimony, and the witness was allowed to proceed, and thereupon the witness further stated:]

First, because a statement was asked for by Mr. Greer in his letter to me, and among other questions one was submitted whether any effort had been made to ascertain the guilty parties or to prosecute them, or that in substance.

Second, because of the publications outside of our county, and particularly one in Butler county, and the alleged inactivity and indifference of the prosecuting officer of Montgomery county.

Third, because of the time this matter was furnished to the *Winfield Courier*, arrangements were made whereby it was to be published in the *South Kansas Tribune*, a paper of our county.

Q. Who were the editors and proprietors of the *South Kansas Tribune*? A. W. T. and Charles Yoe.

Q. Was that an alliance paper? A. I think not.

Q. What was it? A. I think it was a republican paper.

Q. With whom was this arrangement, and when was it made, with reference to the time you sent a copy of the whole correspondence to Ed. Greer? A. About the time this matter was furnished to Mr. Greer.

Q. Was it not before you had mailed to Mr. Greer the copies of these letters? A. I think it was before it was mailed, but after it was prepared.

Q. How soon after you received the letter from Mr. Greer that you replied thereto, and sent him copies of this correspondence? A. I cannot state definitely.

Q. About how long? A. I think it was more than a week.

Q. Did you receive any communication from Mr. Greer, in reply to yours, containing copies of these letters? A. I did not.

Q. Did you send him a copy of entire correspondence? A. With the exception of a note of July 15th.

Q. The one you spoke of awhile ago? A. Yes, sir; that I had lost; I have since found it.

Q. Have you it with you? A. I think I have; I considered it of little consequence when I did find it.

[Exhibit No. 7 is offered in evidence and made part of the record, and is as follows:]

EXHIBIT No. 7.

CHETOPA, 7, 1:15 A. M.

MR. ERGENBRIGHT: I have wondered why no word came to me from Mr. Higleyman in response to letter or telegram, but I find he has been attending to some Indian matters in the Territory for two weeks, and will not be home for a day or two; will then be over again. Yours,

H. VINCENT.

EXAMINATION BY MR. SENN.

Q. If a crime is committed, and parties suspected of being connected with it are living in another state, and the proof of the crime depends upon their testimony, and responsible parties are willing to swear to the complaint, would you still have to examine the testimony first before you could issue a warrant? A. I would; yes, sir.

Q. Then that practically debars the procuring of absolutely necessary witnesses to establish the crime? A. No, sir; I know of no process by which a resident in another state can be secured by requisition from the governor of that state for the delivery of that witness. The attendance of witnesses cannot be secured in that way. I may say further, that the statutes of this state provide them with all costs growing

out of the issue and service of a requisition and return of the prisoner, or to be paid by the county in which the prosecution is begun. And I may say to you that I think a county attorney would be very derelict in his duty indeed to the people of his county if he would allow the steps to be taken to procure a requisition until sufficient testimony has been submitted to him to convince him that a crime had certainly been committed or that it has probably been committed, and a county attorney who would do that in my opinion is only fit to belong to the alliance party.

Q. Then you based your refusal on the fact that no crime had been committed? A. No, sir; but I base my failure to begin a prosecution on the ground that no evidence had been submitted to me sufficient to prove that a crime had been committed.

Q. How could this proof be furnished under the circumstances surrounding this case without having these witnesses who are supposed to be connected with it present? A. Well, you open wide the gates of speculation. I am not much of a detective; I suppose one might go to the state of Ohio and interview the person, Geo. W. Poorman, and get his statement under oath, or proof of the facts might come from any source of actual knowledge.

Examination by Senator Kimball: Q. Did Mr. Highleyman or Mr. Vincent, in any of the interviews they had with you on this subject, disclose their reasons for believing that Poorman, if arrested, would make a confession, or the facts which caused him to believe that he would make such a confession? A. If they did I do not now remember it. My impression is that they did not give reasons that he would confess, and yet they might have done so, and you will remember, no doubt, that I was not sure whether they said he had confessed, or if arrested would confess.

Q. They surely did not present any written confession to you? A. No, sir; nor did they state to me what his confession would involve, nor what it would intend to prove.

Q. Well, then, upon the same statement that was made to you by these gentlemen that he had confessed, or would confess, you decline to institute proceedings which would result in bringing him back here from the state of Ohio? A. I may say I decline to permit a requisition to issue charging George W. Poorman with the crime for the purpose of making him a witness.

Examination by Mr. Dawes: Q. Then you wanted some evidence that he had been guilty of a crime before you charged him with the crime? A. Yes, sir.

Examination by Mr. Henderson: The envelope in which was enclosed the letter of June 19, 1889, is here offered in evidence for the purpose of showing that the postmark is dated different from the letter.

By Mr. Dawes: We object until it is shown or proven that the letter was sent in that envelope.

The Committee decided to receive the envelope in evidence for what it was worth, and the same was thereupon introduced as evidence, and is as follows:

[PART OF EXHIBIT No. 4.]

Return in ten days to O. P. Ergenbright,

County Attorney, Independence, Kansas.

(Post-mark):

Independence, Kansas, June 22, 1889.

(Address.)

Mr. I. D. Highleyman,

Chetopa,

Kansas.

The Committee excused witnesses J. L. M. Hill, E. J. Eaton and Sid. Cure until

they were needed. The witnesses are to be communicated with by wire when needed, and promise to come when thus notified.

The Committee also excused the witness McCreary upon the same condition.

E. P. GREER, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, concerning the subject matter under investigation, testifies as follows:

Examination by Mr. Webb: Q. Mr. Greer, what are your initials? A. E. P.

Q. Where do you reside? A. At Winfield, Kansas.

Q. In what business are you now employed? A. Publisher of the *Winfield Courier*.

Q. How long have you been editor and publisher of that paper. A. For about five years.

Q. During all that time have you resided in that city? A. Yes, sir.

Q. State whether your paper is what is known as a partisan sheet? A. Yes, sir, I think it is.

Q. Republican in politics? A. Yes, sir.

Q. Do you know who were the members of the Republican State Central Committee during the year 1888? A. I only recollect two of them.

Q. Give their names. A. Capt. Henry Booth was the chairman of that committee, and B. S. Hutchins was the secretary of that committee.

Q. Mr. Hutchins at that time resided where? A. I believe his home was at Kingman at that time.

Q. Do you now remember whether you were in attendance upon the convention which placed in nomination the ticket which was being voted for that fall? A. Yes sir, I was in attendance upon the Republican convention that year.

Q. Were you engaged in the political canvass that fall, contributing as you could to the success of your ticket both editorially and otherwise? A. Yes, sir.

Q. During the period of time intermediate the nomination of the ticket which was held early in November, are you able to state whether you remained continuously in your own city, or whether you were absent at times in other portions of the state? A. I was absent at times.

Q. Do you remember now when you first heard of the explosion of some character at the residence of the express agent at Coffeyville? A. Yes, sir.

Q. Just state if you please how you were first advised of the fact of the explosion, and in what manner? A. I was in the office of the Farmers Bank in Winfield about nine o'clock in the morning of the 19th, and Mr. R. R. Frye came into the bank and there stated that there had been an explosion at Coffeyville the evening before, of dynamite.

Q. You were then at the bank for some purpose, I do not care what. How long after that event and your hearing of it were you continuously in town, if you remember? A. I think I was continuously in town for a period of ten days.

Q. After that? A. Yes, sir.

Q. Do you remember how recently before you had been absent? A. I think I was in Topeka about six or eight days before that.

Q. Do you remember, or have you any means of knowing at what precise time or date it was? A. I think I can determine the precise date; I was in Topeka on the 12th day of October.

Q. Upon that occasion, how long did you remain in this city? A. I am not certain whether I remained—I think I came here in the morning and remained during that day, and went out that night at midnight.

Q. Do you know upon what day you left home, during your absence from which you were here? A. Yes, sir.

Q. When did you leave home? A. On the night of the 11th of October.

Q. At what time in the night did you leave your town? A. I cannot tell what time; the train left about 6 o'clock in the evening. It might have been different then, I don't remember.

Q. Upon what line of road did you leave your town? A. On the A., T. & S. F., or M. P. I am not certain; it occurs to me that at that time I went to Kansas City on the Southern Kansas, and came up from Kansas City on the Santa Fe; but I am not certain which way I did come.

Q. In coming from Winfield to this city, if you came by way of Kansas City, did you make any stop at any town before you reached here? A. No, sir.

Q. You came direct? A. Yes, sir.

Q. When you left for home, did you visit some other locality in the state, or did you go directly home? A. I went directly home.

Q. Were you personally acquainted in the City of Columbus, Cherokee county, Kansas? A. Yes, sir.

Q. Have you ever been there? A. Once.

Q. Are you able to tell now the time of your visit to that city? A. I think it was a year and a half ago. I do not remember.

Q. Do you remember the particular occasion of your going? I mean the business which called you there. A. Yes, sir.

Q. Did you go to Oswego? A. I was in Oswego, and had got through with my business, and was doing business with a gentleman in Columbus, and went down there to see the gentleman I was doing business with there, and also to procure another paper for the Newspaper Union.

Q. Give me the name of your Columbus man. A. Mr. Lee, Publisher of the *Advocate*.

Q. Well, is that the only occasion that you ever visited that city? A. The only occasion.

Q. Having directed your attention to the business of Mr. Lee and the subject matter thereof (I don't care about your private business with him), does that enable you to state with more definiteness the time of your visit to Columbus? A. No, sir. I did not start to go to Columbus. The purpose of my going was to get to Oswego, therefore I cannot recall the date; neither can I recall the date on which I went to Oswego.

Q. I will ask whether or not, during the political campaign, you were not there? A. No, sir; it was long after the campaign. I remember that, because I went to Oswego to see Mr. Perkins, and that was after the campaign.

Q. You are, of course, quite familiar with business houses and public places, or places of public resort for legitimate purposes in Winfield? A. Yes, sir; I think so.

Q. There is a paper published in your city, and was at that time, known as the *Non-Conformist*? A. Yes, sir.

Q. Did you know where the office in which that paper is published was then located? A. Yes, sir; it was then located in the Hackney building.

Q. Has it since been moved? A. Yes, sir.

Q. And the office of your paper, the *Courier*, was then located where? A. In the *Courier* building.

Q. And what distance from the Hackney building? A. About two blocks—one block, three streets and a half.

Q. How many, if you know, express offices were there in the city at that time? A. Three.

Q. Give their respective locations if you please. A. The Wells-Fargo office and the Adams Company office were on Ninth avenue west of Main street in adjoining rooms. The Pacific Express office is located in the Thompson building on Ninth avenue and Millington street, being in the second room from the corner.

Q. What distances were the offices, the two which were in adjacent rooms from the Hackney building? A. Two blocks and a half.

Q. And what direction? A. West.

Q. What was the distance from the Hackney building to the other express offices? A. One block.

Q. In which direction? A. Also west.

Q. Did you at that time know a gentleman by the name of George W. Poorman?

A. Yes, sir.

Q. Where did you make his acquaintance? A. I think in my office in the city of Winfield.

Q. About what time? A. During the month of September, I think.

Q. In what year? A. In 1888; that is, I had known him by sight previous to that time, but had had no conversation with him.

Q. Before that time you had seen him; you knew who he was when you saw him?

A. Yes, sir.

Q. Did you know what his business or employment was? A. Yes, sir.

Q. What was he then engaged at, and for whom? A. I knew him as a printer in the employ of the Vincents.

Q. After he came to your office, and you made his acquaintance personally, what was he doing so far as you know during his stay in Winfield? A. He was suing the Vincents; that was what he stated to be his business there at that time.

Q. Was he engaged in any industrial pursuits that we ordinarily denominate labor? A. I think he worked in my office a few days, but I am not certain, but it occurs to me that he did.

Q. You learned from him that he was suing the Vincents? A. Yes, sir.

Q. How long did he work in your office? A. I am not certain that he worked there at all, but I remember of seeing him in the office, and I think at work.

Q. How long a time did he remain in your city after he quit the employ of the Vincents? A. He left there about the 5th of October.

Q. By that do you mean that he left the town? A. Yes, sir.

Q. Did you know, from any source, to what point he was destined when he left Winfield? A. He was coming to Topeka, and from Topeka he was going to Bel-laire, Ohio.

Q. Do you know whether he did come to Topeka? A. I was informed that he did; I do not know of my own knowledge.

Q. He was not here at any time that you saw after he left Winfield when you were here? A. No, sir.

Q. By whom were you informed that he came to Topeka? A. By Mr. Bion S. Hutchins; either he or Mr. Booth.

Q. Are you acquainted with one C. A. Henrie? A. Yes, sir.

Q. How long have you personally known him? A. I met him to know him first on the 12th day of October, 1888.

Q. At what place did you then see him? A. In the Windsor hotel, at Topeka.

Q. You then had conversation with him? A. Yes, sir.

Q. Was that the first occasion upon which you ever conversed with him? A. No, sir; I had conversed prior to that time with him.

Q. You knew him as C. A. Henrie, at the Windsor hotel? A. Yes, sir.

Q. At what time? A. It was on the 12th day of October, 1888.

Q. You had seen him before that time, elsewhere? A. Yes, sir.

Q. How long before? A. Well, probably a week or ten days before, may be two weeks.

Q. Where had you seen him? A. In my office, in the city of Winfield.

Q. Well, to whom did you suppose you were talking then? A. I supposed I was talking to some newspaper man, who introduced himself to me.

Q. Presented his card? A. No, sir; he presented no card.

Q. Did he tell you his name? A. No, sir.

Q. Did he tell you whom he represented? A. I think he said he was representing a Kansas City paper or Topeka paper. He said he was in the newspaper business, and wanted some information from me.

Q. How did you learn when you afterwards saw him at the Windsor Hotel that he was the same gentleman that had called upon you at your office? A. I recognized him as the same gentleman.

Q. Do you know when he stopped at your city whether he put up at a hotel, on the occasion when he came to your office? A. No, sir; I do not know.

Q. Didn't he call there as the representative of some material house, probably for the purpose of soliciting patronage or custom? A. No, sir; he represented himself as a newspaper man, seeking information.

Q. Seeking information upon what subject? A. Upon the subject of a publication that had appeared in my paper about two weeks previous to the visit.

Q. Relating to what subject? A. Relating to a secret organization whose ritual I had published.

Q. What is known as the Vidette exposure? A. Yes, sir.

Q. Well, did you pay sufficient attention to the representations that he made to you to enable you to say what house or paper he pretended to represent? A. I do not think he specified; it occurs to me that he did not.

Q. How long did he spend in conversation with you? A. About ten minutes.

Q. You had not seen him before that time? A. No, sir.

Q. Have you the means of telling me now what day that was? A. No, sir; I cannot recall what day it was.

Q. How soon after the appearance of the publication which you mentioned in the paper was this gentlemen there in pursuit of information concerning it? A. Several days; it might have been a week, I don't know.

Q. Your paper, what is it, a daily paper? A. Yes, sir.

Q. There had been several publications before that particular one before he came? A. Yes, sir.

Q. When you saw him here at Topeka, was it upon the occasion which you mentioned formerly, as having been at Topeka just before that Coffeyville explosion? You told me you came here on the 11th, was here on the 12th. A. Yes, sir; that is the occasion on which I met him.

Q. He was down there inquiring of you, as you have stated, with reference to the article which you had written and published, and represented himself then as being in the newspaper business. You did not understand his name, but you came here afterwards and found him here. Did you have any conversation then in reference to his visit at your office? A. Yes, sir.

Q. Are you now, having these things to aid you, able to state how long it was after you saw him at Winfield, before you saw him at the Windsor hotel? A. I have no way of fixing the exact date in my mind.

Q. Do you remember whether upon this last occasion you say you saw him, you were a visitor at the Republican headquarters in this city? A. Yes; sir.

Q. Do you remember any gentlemen you saw there? A. Yes, sir.

Q. Who did you see? A. I saw Mr. Booth, Mr. Hutchins, and Mr. Prouty.

Q. These are all you remember? A. Yes, sir.

Q. You didn't see Mr. Henrie there? A. No, sir; not in the headquarters.

Q. But the headquarters were in the Windsor hotel? A. Yes, sir.

Q. Which did you see first, the gentlemen in the committee's rooms, or Henrie?
A. The gentlemen in the committee's rooms.

Q. In the month of October, 1888, was there running from your city through to Topeka and Kansas City, the Santa Fe or San Francisco, and the Missouri Pacific, and the Southern Kansas? A. The San Francisco did not run into Topeka nor Kansas City.

Q. The San Francisco ran from your town, and connected with the main line at Beaumont? A. Yes, sir.

Q. Direct communication via Frisco from your town, and connected with the main line at Beaumont? A. Yes, sir.

Q. The Southern Kansas? A. Yes, sir.

Q. The Missouri Pacific? A. Yes, sir.

Q. Do you remember the time when these trains upon these lines of road respectively left your city? A. They left town in the morning and the evening; as to the exact time, I have no way of fixing it in my mind.

Q. Do you remember where you were the evening of the 11th, and before you left your town upon the train, whether early or later on the morning of the 12th? A. My recollection is that I left my town on the evening of the 11th.

Q. On the evening of the 11th? A. Yes, sir.

Q. And upon what line or road did you say you left Winfield? A. I am not certain; I cannot remember which line; I think I went on the Southern Kansas to Kansas City.

Q. Well, to have done that, at what time must you have left your city? A. About 6:45, I think.

Q. To have left your city in the morning on any train that would have brought you in the direction of Topeka, at what time would you have started? A. Of course different times on different roads; I would have started on the Southern Kansas or the Santa Fé going out about 8:35. Now, I do not know whether the present time cards were in existence then or not.

Q. Was there a train which left your city upon which you might have gone in the direction in which you were bound, after the hour of eleven o'clock and before the hour of three in the night? A. No, sir.

Q. Not on any train? A. No, sir.

Q. So that you must have started in the evening, or waited until the morning? A. Yes, sir.

Q. Are you certain at what time you did leave? A. No, sir; I am not.

Q. Do you remember that you reached Topeka upon the first day after you left home? A. Yes, sir, I came direct to Topeka.

Q. Now, at what hour did you get to Topeka? A. I can not tell that; if I came by Kansas City, I got here at noon; if I came direct, I got here about 4:30.

Q. Now, I will ask you Mr. Greer, are you able to state; do you know as a matter of fact that you got here before, or after noon? A. I am not able to state now; I think it was about noon; it occurs to me it was.

Q. I will ask you Mr. Greer, if you knew a gentleman residing in your city by the name of Volney Beard? A. Yes, sir.

Q. Did you know him in the fall of 1888? A. Yes, sir.

Q. State whether he is the man who was engaged in business of any kind in your city? A. I do not remember whether he was engaged in business at that time or not; he went to California and returned again, and went into business.

Q. Do you know a business house there, Wilson & Hendricks? A. There was such a firm.

Q. Was there in the fall of October of 1888? A. Yes, sir; I think there was.

Q. Do you know where the business house was situated? A. Yes, sir.

Q. Just describe it, please? A. I think it was on the west side of Main street; three doors north of Tenth avenue.

Q. State whether you were at that time a member of the county republican committee of Cowley county. A. No, sir.

Q. State whether there was a committee that had its headquarters in your city, known as the Republican headquarters? A. Yes, sir.

Q. Where were these rooms? A. They were on the corner of Ninth avenue and Millington street, in the second story.

Q. With reference to the Hackney building? A. One block west, and across the street.

Q. What distance were republican headquarters from Hendricks & Wilson's place of business? A. Two blocks.

Q. In what direction? A. One block north, and one block east.

Q. Now, I want to ask whether that place you have designated as being on the block on the west side of the street, and about Hendricks & Wilson's, was the place where citizens, partisans and politicians frequently congregated for the purpose of talking over matters they then had on hand. A. Well, the citizens often congregated there and talked politics.

Q. Were you sometimes one among the number that congregated there? A. Yes, sir.

Q. Do you remember of having been there on the occasion immediately before which it was your purpose to leave, and you did leave, for Kansas City and Topeka, and during a portion of the time that night or evening you sat upon a wheelbarrow? A. I do not remember; I probably did sit there several times.

Q. When, Mr. Greer, as you now remember, did you last see this man Poorman? A. Why, the day he left Winfield.

Q. State whether or not you have been in correspondence with him since then? A. Yes, sir.

Q. You say that his whereabouts, as you understand it, are at Bellaire, Ohio? A. Yes, sir.

Q. When did you last hear from him? A. The last letter I received from him, I think, was some time in the month of July, 1889.

Q. He left in October, '88, I think? A. Yes sir.

Q. Have you received more than the one letter to which you refer; you say that is the last one which you received? A. I have received in all three letters from him.

Q. Had you written to him? A. Yes, sir.

Q. His letters in answer to yours? A. His letters, two of them, were letters of inquiry, and one was in answer to mine.

Q. Which was the first one you received from him, the letter of inquiry, or the letter in answer to yours? A. The letter of inquiry.

Q. You have all his letters? A. Yes, sir.

Q. Have you copies of yours to him? A. No, sir, I did not keep copies.

Q. The correspondence between Mr. Poorman and yourself, commenced upon his part? A. Yes, sir.

Q. He first wrote to you and you replied to him? A. Yes, sir.

Q. He wrote you afterwards and you wrote another; the last letter you received from him you have referred to the Committee as being in July; have you written him since? A. No, sir.

Q. Had no correspondence with him in any way? A. No, sir.

Q. Either personally, or through some person at your instance and solicitation? A. No, sir; no correspondence with him, nor seen him.

Q. Have you had any correspondence or conversation with Henrie concerning him? A. Yes, sir.

Q. When? A. About a couple of days ago.

Q. Not before the appointing of this Committee for the purpose of conducting this investigation? A. No, sir.

Q. How frequently have you seen Henrie since that time? A. I have seen him since I have been here almost daily.

Q. And in consultation with him? A. Yes, sir.

Q. Have you been in conversation with him since the appointing of this Committee? A. Not since I talked with him the other day.

Q. Mr. Greer, your recollection is, as you have stated, that you left home on the evening of the 11th of October, and reached this town on the 12th, and you said upon what day you returned home, but I do not remember on what day you said, and I wish you would state that again; leaving on the 11th, you returned at what time? A. The way I fix these dates in my mind is by referring to a document here, which called me to Topeka, and I do not remember distinctly whether I came on the night of the 11th, or the 12th; at any rate I left Winfield and came direct to Topeka, and stayed here one day, and I think half of the night, leaving Topeka at midnight and returned directly home.

Q. You left at midnight? A. If I left on the evening of the 11th I would return home on the evening of the 13th.

Q. If you left on the morning of the 12th? A. If I left on the morning of the 12th I would return, also, on the evening of the 13th.

Q. Now the explosion occurred on the 18th day of October? Yes, sir.

Q. You learned that fact, as in the manner you have stated, the fore part of the day of the 19th; are you now able to say whether after your return from Topeka upon the night of the 13th, you were there at Winfield continuously until after the explosion, or whether you were absent from home after going back from here? Did you then stay at home after the explosion, or were you away somewhere else? A. I can not now remember whether I was away any of that time or not.

Q. You know, Mr. Greer, of the Vincent Brothers, who lived in your town and are connected with the paper? A. Yes, sir.

Q. Acquainted with them? A. Yes, sir.

Q. This man is known as Henry (pointing to the gentleman named)? A. Yes, sir.

Q. The darker complexioned man known as the Professor? A. Yes, sir.

Q. Do you remember of being in his office on the 18th day of October? A. I do not remember whether I was there on that day or not.

Q. Do you remember whether he, Professor Vincent, was in your office on the 18th of October? A. Yes, sir.

Q. Do you remember that you and he then had any conversation? A. I believe we had a few words.

Q. Do you recollect the substance of it? A. The substance of it was that I would have some interesting reading for him that evening.

Q. Did you tell him about how many columns? A. I think I did.

Q. Did you tell him at that time in substance this, "I have got you down fine now, I have just got back from a trip, and have got eighteen columns of matter for you"? A. I don't remember about the trip; I do remember of telling him that "I had his organization down fine," I think those are the words I used.

Q. Now isn't it true, that you had been here at Topeka, and had just gone home on that day, and that the matter that you published in your paper was prepared here in this city? A. No, sir; it is not true.

Q. Is no part of that true? A. No part of it is true.

Q. Was it prepared here? A. The matter, the copy originally was prepared here, a part of it.

Q. Was it not put in type here? A. Not that part I used. I set the type myself in my own office.

Q. But from copy that was furnished from here? A. That was prepared here.

Q. That same copy was put in type for publication elsewhere the same night? A. Yes, sir; it was prepared several days prior to its publication.

Q. Prepared by whom? A. Prepared by me at Winfield, and by Mr. Hutchins here in Topeka.

Q. And that is the reason you came here, so that you and the members of the committee—the republican central committee—could agree upon the subject matter which was to be published. A. No, sir; I came here at the instance of the state central committee, of its chairman, Mr. Booth; got the statement from him that he could furnish me certain additional facts regarding the existence of a secret organization known as the “National Order of Videttes,” which I was then searching for.

Q. And you accordingly came and had an interview with whom upon that subject? A. With Mr. Booth and Mr. Hutchins.

Q. No one else? A. No, sir.

Q. Well, now, the matter which you published was prepared by you before that time? A. There were two publications of matter relative to the exposure of the Videttes, one occurring on the 4th of October, my first publication, the second publication upon the 18th of October. The first publication consisted of the ritual of the order, the secret work, the cipher and oath, and the constitution and by-laws. The publication and the existence of the order was denied by the Messrs. Vincent and others interested, and I began to search for further evidence of the existence of the organization, in order to publish it. In that connection Mr. Booth wired me to come to Topeka, and he gave me certain other facts when I came, and information relative to that order, and permission to use it.

Q. You came here and met Mr. Booth, got from him certain information—you got from Mr. Booth or Mr. Hutchins certain information which they imparted, then you wrote up the supposed facts, which you had learned preparatory to its being printed? A. I prepared and assisted to prepare the actual facts which I secured, in shape for the compositor.

Q. What I want you to tell me is whether the article which appeared in your paper of the 18th was simultaneously published in other periodicals of this state? A. Yes, sir.

Q. Was that to be done by concerted action; that is, was the character and publication of this expose agreed upon by yourself, Booth and Hutchins? A. Yes, sir; it was agreed upon.

Q. I want to ask you, Mr. Greer, whether, after the 13th of October and before the issuance of your paper on the 18th, you were at Wichita? A. I cannot recall whether I was or not; I might have been.

Q. Were you at Newton between that time—I mean between the 13th and 18th of October? A. No, sir.

Q. Were you at Hutchinson? A. No, sir.

Q. Were you again at Topeka? A. No, sir.

Q. Were you at Yates Center? A. No, sir.

Q. Le Roy? A. No, sir.

Q. Columbus, Cherokee county? A. No, sir.

Q. Oswego, Labette county? A. No, sir.

Q. Were you at Parsons during that time? A. No, sir; not between the 13th and 18th.

(Cross-Examination.)

By Mr. Dawes: Q. You say you first learned of the explosion through one R. R. Frye? A. Yes, sir.

Q. Was he a resident of Winfield? A. Yes, sir.

Q. What was his business? A. He was in the stone business.

Q. Do you know how the word was brought or sent from Coffeyville to Winfield?

A. Mr. Frye stated that the deputy sheriff of Montgomery county was there, and had understood him to say that he got his information from him.

Q. Do you know who that deputy sheriff was? A. Yes, sir.

Q. Who? A. Mr. Clifford.

Q. Did you see Mr. Clifford that day? A. Yes, sir.

Q. Was he there in Winfield on the 19th? A. Yes, sir.

Q. Then you think you were at home the next succeeding ten days after the explosion? A. I think I was; yes, sir.

Q. You first knew Poorman when he was working for the Vincents at Winfield? A. Yes, sir; first knew of him; I did not know him personally until long after that; knew him by sight.

Q. And he left Winfield about the 5th day of October, some thirteen days prior to the explosion? A. Yes, sir.

Q. At this time, that C. A. Henrie came to Winfield, you say you conversed with him about ten minutes? A. Yes, sir.

Q. After conversing with you, did you know where he went? A. I did not.

Q. Was the political question of the day discussed between you and Mr. Henrie? A. No, sir.

Q. Then, all that you were talking about was this first publication that you had made? A. Yes, sir.

Q. And that was the publication of the ritual of the Order of Videttes? A. Yes, sir.

Q. And he was seeking information concerning that matter? A. Yes, sir.

Q. As to how you got hold of it? A. Yes, sir; and various other questions bearing upon the source of my information.

Q. What was the occasion of his leaving so suddenly? A. He didn't leave; I left.

Q. Why did you leave? A. He began to talk very familiarly about the Vincents, and I did not like his questions about this Vidette business, and excused myself and passed out and left him standing there.

Q. And he got weary and went away? A. I presume so.

Q. Now when you came to Topeka some ten days after that, did you have any talk with C. A. Henrie? A. Yes, sir.

Q. Where was that? A. It was in the Windsor hotel here.

Q. What was the subject under discussion? A. The National Order of Videttes.

Q. Was that the subject that brought you to Topeka? A. Yes, sir.

Q. At whose request did you come? A. At the request of Mr. Booth.

Q. Was there any other matter discussed between you and Henrie, and between you and Booth and Hutchins, except the contemplated exposure of the Videttes? A. No, sir.

Q. You may state how it came that you were talking with Henrie concerning this matter at Topeka. A. I came to Topeka in response to a telegram from Mr. Booth, and reported immediately at the headquarters of the State Central Committee, and had some conversation with Mr. Booth relative to the publications I had made on the Vidette matter. He asked me if I succeeded in securing additional evi-

dence, and I told him I had some points, but lacked a few things to make the evidence conclusive, and he said, "I believe Bion can cite to you some facts that will help you out in that matter." Mr. Hutchins then came in and we went and sat down and had a talk over the matter at some length.

He then took me out in the Windsor hotel and introduced me to Mr. Henrie, from whom, he said, I could secure other information and get a better idea of the operations of the Order, or something to that effect, and upon being introduced to Mr. Henrie I recognized in him the person who had called in my office before. I asked him what he was doing there; he said he had been calling on his friends, the Vincents. Then Mr. Henrie and I entered into quite an extended discussion of the union-labor party, and various other organizations, the dissensions between them and the union-labor party, and then we talked of the Vidette matter, and I told him where I had secured my ritual and my other information, and told him of the information I had gathered up here and there since, and he told me: "I will assist you in preparing the matter." I said all right, I would like to have him assist me. I sent out for some paper and a chair and proceeded to prepare matter with reference to Videttes.

Q. Have you with you the original secret work and ritual, oaths, and other data, from which these articles were made up? A. I have.

Q. Were they in your possession at the time of your conversation with Henrie? A. They were, a part of them; some I have obtained since that conversation.

Q. Were you, and Booth, and Hutchins, and Henrie discussing any other subject save what subsequently came out in what is known as the Vidette expose? A. Nothing except the discussion of general party politics.

Q. And that was the subject under discussion? A. Yes, sir.

Q. And whatever that contained was the sole object of your being together, and your conversation with Henrie, and of his conversation with you? A. Yes, sir.

Q. When you produced the original paper from which that exposure was compiled? A. Yes, sir.

Q. That is the book to which you referred as ritual and by-laws, is it? (Here the witness was shown a book.) A. Yes, sir.

Q. And it is the contents of this book that constituted the first publication of which you have spoken? A. That was the basis of the publication.

Q. I see it bears on the fly-leaf the name of "H. & L. Vincent, National N. O. V. Printers, Winfield, Kansas." Do you know who H. & L. Vincent are? A. Yes, sir.

Q. Who are they? A. They are printers, and publishers of the Winfield *American Non-Conformist*.

Q. One of them known as Henry Vincent? A. Yes, sir.

Q. And the other Le Roy Vincent? A. Yes, sir.

Q. Is that Henry Vincent? (pointing to a gentleman who was sitting in the room.) A. Yes, sir.

Q. You said you had other papers, I believe? A. Yes, sir.

[The witness hands counsel the book before referred to as the ritual and by-laws, and the same is marked "Exhibit 8," and offered in evidence, as follows]:

CONSTITUTION AND BY-LAWS OF THE EN-NIOT-LE RI-RAD OV-STTAD, OF THE UNITED STATES.

H. & L. VINCENT, NATIONAL N. O. V., PRINTERS, WINFIELD, KANSAS.

RITUAL AND BY-LAWS—DECLARATION OF PURPOSES.

The gulf which separates the capitalist from the laborer is rapidly enlarging; enormous fortunes on the one hand, idleness and absolute destitution on the other; capital secretly organized against labor on the one hand, labor secretly organized

against capital on the other. These are facts of fearful and ominous import, and justify the organization of a secret order to counterbalance the evils threatening on either hand and to restore and keep for the people equal rights to life, liberty and the pursuit of happiness. We therefore, in the language of our fathers, declare: "We hold these truths to be self-evident: That all men are created equal; that they are endowed by their creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it and to establish a new government, laying its foundations on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light (4) and transient causes, and accordingly all experience has shown that mankind are more disposed to suffer evils, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpation, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government and to provide new guards for their future security."

Q. Do you endorse these principles and all legitimate effort to carry them into effect? A. I do.

FOUNDING CEREMONY.

Q. Are you willing to take an obligation which I assure you will in no wise conflict with your duty to yourself, your family, your fellow-man, your country or your God? A. I am.

Then repeat after me this obligation: [here place them in proper position] "I [repeating each his own name] of my own choice, in the presence of the Supreme Ruler of the universe, and calling to witness the spirits of those departed patriots, who, in time past, have toiled in human liberty, and by the reverence I owe my father and mother, I solemnly swear, without evasion or mental reservation, never to reveal to any human being, except a mic'ader', or by order of this nuic'loc', anything that I may see or hear, while assembled in biv', or any other secrets of our order, or the existence of the same; that I will never solicit anyone for na'tsol'tnam, whom I do not believe to be superior in intellect, faithful and true, and devoted to the cause for which we are enlisted; that I will always implicitly obey the orders of this nuic'loc' and the officers thereof, which do not conflict with (5) my duty to God and my family, and the letter and spirit of our declaration of purposes; that I will never knowingly injure or defraud a mic'ader; that I will always, in conversation with a mic'ader, speak the truth, the whole truth and nothing but the truth; that I will ever be ready to recognize the signs of this order; that should I, for any cause, cease to be a mic'ader of this order, I will keep this oath as sacred out of the order as in it; to this I pledge my life, my liberty, and my sacred honor; and should I willfully break this oath, I rus'nar'rad ym'ydib' it'ah'tsuj'nav'acneag fi'ym, mic'sader and invoke upon myself the curses of the Supreme Ruler of the universe, and the universal detestation of mankind."

By the authority vested in me I now declare you, as here assembled, duly organized and founded as a county nuic'loc of——this, the——day of——in the year one thousand eight hundred and——, of this republic the——.

This nuic'loc will be known as ic'—'gar'o'tnam'in—grob'in'—.

The organizer now explains secret work.

NE'TSOL'TNAM'EAC'A'YOIM'.

To any seeking acquaintance: "Who comes there?" "A friend." "Advance, friend, and give the countersign." After this is done the P. opens the door and admits him. The S. says: "Halt! who comes there?" "A mic'ader." "Advance, mic'ader, and give the countersign." When this is done the S. summons the S. G. by ooo raps. The S. G. says "Whence come you?" ymre 'No.—what gorb.' "What gar'o'tnam?" No.—"What mic'ynep'?" "What dispatches do you bear?" Here the G. gives him the pass-word. "Pass mic'ader with your sod'sahctep." G. conducts ir'toure' to Cap., who (6) says to G.: "What orders have you?" "To conduct this ir'toure to you for na'tsol'tnam'. Cap. says to ir'toure: "Have you read our cet'scot?" "I have." "Do you fully and unreservedly indorse the objects and principles therein set forth?" "I do." "You are at liberty at any time to seek an honorable sod'agrehe from our order, and you are now admitted as a mic'ader." All cry: "Hold, hold, he is not nriws," (making sign.) Cap. (making sign,) "i onfess." To ir'toure', "Before proceeding further you must take a binding obligation not to reveal anything you may see or hear in this pmeo', which I assure you will in nowise conflict with your duty to yourself, your family, your fellow-man, your country, or your God, and which has been taken and faithfully kept by all those you see around you. Up to this time your na'tsol'tnam' has been sought by us, but you are now fully informed of our purposes, and are free to advance or retreat unmolested; but if you advance, you do so on your own responsibility. Do you wish to advance?" "I do." (Here place the ir'toure in proper position and de'nom'so-rat'htei.)

Cap. says: "You are now fully na'tsol'da in this command, and so long as you are faithful and true you will ever be regarded as a faithful mic'ader, with whose sorrows we will sympathize, in whose prosperity we will rejoice, and whose interest we will ever seek to advance."

From this may be gone through with or deferred at the option of the Caps.

You will report to naG'naarG' for further instruction; and remember the watch-word of our order: Equality, liberty and fraternity.

G. conducts ir'toure to naG'naarG', and says, "naG', I am ordered to conduct this ir'toure to you for instruction."

"A mic'sader first lesson should be obedience; prompt, unhesitating, unwavering, implicit obedience. Napoleon Bonaparte, the greatest military genius the world ever saw, lost the dominion of the world because one of his generals delayed half an hour in executing a command. Because of a moment of disobedience Moses failed to enter the promised land.

Our cause, mic'sader', must not be imperiled by a moment's disobedience on the part of anyone; it is too sacred, too grand, too important to the human race. It is the cause of universal humanity. The blood of thousands of martyred patriots, from Tiberius and Caius Gracchus to the last soldier who died in the cause of liberty, calls upon you to obey like soldiers, while you feel like freemen. Again, the cause in which you are na'tsol'da calls for the united efforts of all. Our enemies, the foes of Equality, Liberty, and Fraternity, are fortified behind almost impregnable breast-works. Organized capital on the one hand threatens equally with desperate poverty on the other. Organized capital controls the arteries of our commerce and cuts off our life's blood at its own pleasure, and the sun of liberty shines dimly upon a nation of pale wretches who shiver in the wintry blasts of poverty. It pours its streams of golden damnation into the councils of state, and the few unbought representatives of the people wring their hands in despair at their own impotence. It scatters its unholy gains at the ballot-box, and the very fountain of liberty is corrupted. Our last, our only remedy, is the united efforts of all who love our country. "Union is

strength." Unity of action was so perfect in the celebrated phalanx that it marched as one body, charged as one body, fought as one body, and its ranks were not broken for generations. (8) Let our union typify such a phalanx; let foot keep step with foot in our march upon the enemies of humanity; let hand strike with hand in the battle of human rights, and heart beat responsive to heart in our united devotion to our sacred cause, and the enemies of humanity must inevitably disappear.

Mic'ader' remember the watchwords of our order, Equality, Liberty and Fraternity. To G: You will now conduct the new ir'toure to naG'tuP'mun' for further instruction."

G. P. You now stand a mic'ader of the order of dov'satta'; you have been chosen from the many who surround you because of the exalted opinion of your worth entertained by the mic'ader, of nuic' loc'; let me admonish you to merit that trust.

WHY WE WORK IN SECRET.

We work in secret as a matter of necessity. The enemy for many long years has worked in secret, and fattened upon our substance until he is so strong, he need only know our position to beat us to the earth. Many examples of warning are given us. In the secret lobbyings of congress the great monetary power was wrenched from the government and conferred upon corporations and individuals; in the secret caucus the substance of the people was given to railroads and other corporations; creating an aristocracy that may well alarm the world, in the secret councils of the lobby, the English Land Lord System, which has blighted Ireland and made it a reproach to the world, has been saddled upon the fair land of America. The day of Liberty is growing dark, mic'sader' the eyes of the world are upon us; they claim we are on probation to fail; that the fond hopes of our patriotic fathers (9) are vain; that these liberal institutions of ours shall perish, shall crumble to dust; I ask you then, do we not owe the most sacred duty that ever fell to the lot of man to perform to preserve these institutions? May the spirits of the noble dead hover around our cardinal tenets and form an impenetrable sacred shield, never to be pierced by the enemies' darts.

YHW'LOM'O'YRET'MEIP'.

Lom'o'yret' instead of voc'lo'form of organization is adopted for the following reasons: We have powerful and bitter enemies to encounter, that will fight us to the death.

As disorganized, disunited individuals, we are at their mercy; therefore we seek in union and organization, a strength that will enable us to cope with them. As the lom'o'yret' represents a more solid and perfect union than the voc'lo' we have adopted that form.

We wish a thousand men to act as one; ten thousand hands to strike together in the advancement of liberty; ten thousand voices to chorus the same truths, that all men are born free and equal. It also typifies to us that glorious struggle of 1776, by which the priceless boon of free institutions was first achieved for the Anglo-American continent.

OV'ATTAD'.

Ov'attad' is appropriate, it being your principal duty to watch with untiring vigilance the movements of the enemy, and unobserved by him summon your nuic'loc' to thwart his aims.

BIV.

In the biv. time is given for council, plans are laid for execution, forces are equipped and drilled for operation, rest and refreshment is also obtained (10) here. Let us often resort to the biv.

MIC'ADER'.

Mic'ader' is that strong term so interwoven with all patriotic struggles since the world began that to hear the name should only be to laud its possessor; search the pages of history, and note the linking of life to life, the mingling of blood with blood, and the grappling side by side with the enemy in deadly struggles, then measure the responsibility and exalt the name mic'ader'.

THE NO. 1776.

The principles which we seek now to restore were first proclaimed on this continent in 1776. When we gaze upon that emblem, which calls to mind the great and glorious achievements of that time, the spirit of those departed heroes seem to hover near us. Gaze again, and imagine the near relationship in which you stand to that august body, and be strengthened in your duty.

THE EAGLE.

The eagle, the adopted emblem of our cause, shows his superiority by the loftiness of his flight, so let us follow the speculative path of this great type, raise the cause of our na'tsol'tnam to that sphere which is far above debasing influences of private gains and mere personal ambition. Mic'ader', remember the watchwords of our order—Equality, Liberty and Fraternity. To G.: "Conduct the mic'ader to G. M. for further instruction."

G. conducts the ar'toure' to G. M., and says: "I am ordered to report this ar'toure' to you for (11) further instruction."

G. M. "Mic'ader', this order is based on the action of our mre'sa'o during the var'i'ul'niot'yre'rew'. It is lom'o'et'yr' in form only. Its officers bear lom'o'et'yr' titles—yet their duties correspond to those of like positions in voc'lo' orders. The room furniture is the American flag with the eagle and 1776 thereon. Our meeting before we open up is termed vob', after opening up it is termed nuic'sloc'. The order is composed of two degrees, nuic'slon' and no'ran'nuic'sloc'. To get to either you are called chosen. The as'stare' of the order are formed in the I. C., and comes to O. D. by a messenger sent from the I. C. The I. C. is for a safeguard for the order, and all live working ep'stiort' will be called there. In forming the C., smic' are seated in two equal lines, running from W. to E.; the spec' station is in the west at the head, and half way between the lines. The 1st ual' (who is always O. D.) is opposite and facing the pec'. His duties are to see that the camp is properly arranged, report the same, lead in all ceremonies, and in na'tsol'gno' has charge of ar'stourc'. The 2d ual', at the head of the left column, to the right of the pec', and is treasurer. The O. S. station is at the head of the left column, and is secretary. The officers Snag', G. P. and M., are appointed by the pec'.

In na'tsol'gno the mic'sader are all seated until the O. D. and R. enter between the lines, then the pec' raps the mic'rades to their feet and advances, meeting the O. D. at the altar, which is placed in the centre. After the obligation the pec' raps, all the mic'sader' fall back to their seats, leaving the pec' O. D. and R. standing, the pec' then instructs. "In advancing this far you have often been (12) cautioned to remember these especial words, Equality, Liberty and Fraternity, and doubtless you regard them as of mysterious significance since you are told they are the watchwords of our order. They are the foundation stones upon which we have built all the hopes and aims of the order and we have them typified in the three signs The sign Equality is made thus ... there by that as each member reaches to an equal height, we recognize all mankind as having an equal right of life, liberty and the pursuit of happiness. In the same sign we form a cross over the most vital part of man, which typifies that in our hearts we admit the cross that all men must bear, and are willing to share our equal share of the burden. The sign of

Liberty is made thus ... Our hands are supposed to be shackled with irons, our bodies with triple cords; by one united effort we burst the shackles sunder, and strip the bands from our bodies. The sign of Fraternity is made thus ..., as our hands are joined so let us as brothers unite our efforts for the advancement of the glorious cause for which we are enlisted. The sign is made thus ... It signifies that I have recognized you, but let us remember the oath we have sworn to guard the secrets of our order at all hazards, and we close the mouth, as that is the most dangerous channel for the revelation of our sacred mysteries. The last three signs are made thus, and typify the solemn oath you have sworn, that as our pec', whom we have vowed implicitly to obey, seemed on the point of betraying the secrets of our order to an unauthorized person, we draw our swords to guard our secrets at the peril of his life and our own. This signifies to us that our principles (13) are paramount to all else, and no person, however beloved, no authority, however sacred, may dare to infringe upon the principles of our order laid down in our constitution, or threaten the mysteries which bind us together. And he, as he holds up his hand, acknowledges his error and your right to stop even your commander in a thing unlawful. He says, I too have taken that solemn oath, and as we drop our swords to the ground we answer by our actions that we will keep that oath to the grave, even at the peril of our lives. Mic'ader may you live to see the last vestige of oppression vanish from this fair land of ours.

OPENING CEREMONY.

Cap raps the Biv to order by ooo raps, and calls to O. D., "Have you inspected the camp?" O. D. "I have." Cap. "Report." "I find all well in the way of arms and equipments, and the quarters in good condition. P. are stationed at the outer approach to see that none pass without the countersign. Sentinels guard the inner approaches, and suffer none to enter except by permission of the ras'tneag' of the dreng'. The ras'tneag' of the dreug' is convenient to the guard line, and rigidly interrogated all comers. naG'ra'le' naarG' is stationed in the north organizing our forces and drilling recruits in the necessity of obedience and secrecy. naG'tuP' nem is stationed in the east, prepared to marshal our forces against the usurpers of our natural rights. naG'nioreM' is stationed in the south, prepared by secret works to guard against surprises and to circumvent the most artful of our foes." Cap. "It is well. See that there are no spies or traitors in the camp." O. D. takes up the word and reports: "I find none but mic'sader here (14) assembled. Cap then says, "Mic'sader' for what are we here assembled in biv?" All answer, "To promote the principles of Equality, Liberty and Fraternity among all mankind." (kem'gno' ahtngos'). Cap. "I now declare this nuic'loc' open for the transaction of business." 1. Roll call. 2. Reading minutes of previous meeting and acting thereon. 3. Ballotting on previous proposals for tnam'tsol'na. 4. Tnam'tsol'na' of stourc'ar. 5. Reports of committees. 6. Proposals for tnam'tsol'na'. Pec'snoet' no'curts'aniot.

In ar'tourc'gno names must be proposed in the nuic'loc and at the next meeting must be balloted on. During the interval it is the duty of each mic'ader to find out all about the proposed as possible, but must do nothing to excite suspicion. Balloting must be in secret. No mic'ader has a right to expose his ballot. One black ball rejects. When one is elected, pec' appoints a committee to wait on him and get his approbation of a as'tarc'ri'dar' of this kind, and if he would be willing to join if such an order could be found. If he expresses his willingness to join, he is pledged to keep everything as'tarc' that may then be told him. He is then informed that there is such an order, but in no instance is he to be told any name or names of anyone that belongs. It is well understood that no dli'rep'yt'savels can be with us.

Every mic'ader present must vote on each proposal, and it shall be unlawful for

any parties so rejected to be proposed in any Nuic'loc' of (15) the Ri'rad inside of six months of the date of rejection. 7. Cala'nio't' of fi' of srac'. 8. No'lets'el'nio't' of if'fo'srac'. 9. Financial business, dues, order, bills, etc. 10. Mic'onum'ec'anio't, etc. 11. Business htow'ra'hti'nuit'sloc'. Any document to go before the no'ran'nuic'loc, shall be placed in the custody of the O. D. 12. Unfinished business. 13. New business.

LEGISLATIVE.

This order shall be composed of two degrees, first, Nuic'sloc'. Second, Ranno'-Nuic'sloc'. The I. C. shall have supreme authority over the Nuic'sloc' in their jurisdiction. The Nuic'slic' shall be vested with full powers to enact all necessary and proper laws, rules and regulations, in accordance with the foregoing declaration of purposes, subject to revision by Superior Nuic'sloc'.

NUIC'SLIC'.

- 1st. Township Nuic'sloc.
- 2d. County Nuic'sloc.
- 3d. District Nuic'sloc.
- 4th. State Nuic'sloc.
- 5th. National Nuic'sloc.
- 6th. Supreme Nuic'sloc.

Township Nuic'sloc shall be composed of not more than five members. County Nuic'sloc shall be composed of not more than seven members. District Nuic'sloc shall be composed of one duly elected delegate from each county in such district. State Nuic'sloc shall be composed of one duly elected delegate from each county in such (16) state. The State Nuic'sloc shall be superior to the Township, County, and District Nuic'sloc.

APPEALS AND PETITIONS.

Every Nuic'sloc and the mic'sader thereof shall have the right to appeal to superior Nuic'sloc.

QUORUM.

A majority of the members shall constitute a quorum in a Nuic'loc' of fifteen or less. In Nuic'sloc' of over fifteen members, each Nuic'loc shall decide the number necessary to constitute a quorum.

EXECUTIVE.

The officers of a county Nuic'loc' shall be Pec'noet', first and second Uaol'nat'tne', Orderly Res'tneag of the Dreug', Nas'lanot' and Keop'ta' who shall be elected annually.

EXECUTIVE COMMITTEE.

The Pec'noet', first and second Uaol'nat'tne'Ri'rad'yl, Res'tneag, of the Dreug' of each Nuic'loc' shall constitute the executive committee thereof. Said committee shall transact all necessary business of the Nuic'loc' that may arise between the stated Vob'aceui', when it is impracticable to call a special Vob'sceui' for such purpose, and to perform such other duties as may be imposed on them by this constitution and the laws made in pursuance thereof.

EXECUTIVE BOARD.

The first five officers of the N. C. shall form the Executive Committee, and three of these shall have the power to suspend the Nag' until the N. C. meets, and in such an emergency shall call (17) the N. C. at once.

The National R. O. shall have entire charge of organization, subject only to the N. C. or the Supreme Inner Nuic'loc'.

The Commanding Nag'lara' shall have his expenses paid by the order while traveling in its interest, and shall receive a salary of \$2 per day.

The township Nuic'sloc' shall elect a full quorum of officers, who shall rank the same as officers of county Nuic'loc'; these shall be subject to the orders of county Nuic'loc'.

The Pec'Noet' of the county Nuic'loc' shall have power to form township Nuic'sloc', and receive for his services the same as is allowed a regular R. O.

DISTRICT OFFICERS.

The officers of a district Nuic'sloc' shall be Lanilac'Rijem'Tnetujde'Mic'som'-yres'Reuq'rat'sem'rat' officer of Yed'Ras'tneag'Emrij'Levil'Nas'lanot' Loyal Keop'ta' and Uaol'nat'tne'Lanilic.

STATE OFFICERS.

The officers of a State Nuic'sloc' shall be 'Gorb'e'raad'Nag'lera' and his Sdoe', Senior Lanilic', Junior Lanilic', De'uj'tnet' of Gorb'ade', Gorb'ade'Reuq'rat'sem'rat' Gorb'ade'Mic'som'yres' Grand Nas'Not'la' and Grand Keop'ta.

OFFICERS OF THE N. C.

The officers of the N. C. shall be Nag'lera' and his Ffets', L. Nag'lera', M. Nag'lera', A. Nag'lera', C. Nag'lera', Q. Nag'lera', Us'amarp'Dnerg'Nas'not'la', and Us'amarp'Dnerg'Keop'ta.

DUTIES OF OFFICERS.

Pec'noet'—It shall be the duty of the Pec'noet' (18) to assemble the Mic'sader at all Vob'sceui', command the same while assembled; to execute all orders from higher Nuic'loc', together with the decisions of his own Nuic'sloc'; receive all dispatches, detail special stuits'; receive all reports and submit them to the Nuic'loc'; and to perform such other duties as may be imposed upon him under this constitution and the by-laws.

RACOFFI OF THE YED.

The Racoffi' of the Yed' shall inspect the srac'offi and mic'sader of the Nuic'loc' at each Vob'coui', and see that each is at his post and arrayed in proper uniform. He shall receive the secret words and signs from the messenger of the Us'rriorap' Nuic'loc', and at each meeting shall see that all present have the true secret word. Members shall receive the secret word from, and from him alone.

FIRST UAOL'NAT'TNE.

The first Uaol'nat'tne shall be Racoffi of the Yed' when not acting as Pec'noet', in which event the second Uaol'nat'tne shall be Racoffi of the Yed.

SECOND UAOL'NAT'TNE.

He shall have charge of the smre' and pouqa'stnam' of the Vob'ceui', and see that the same are kept in good order, and are forthcoming when wanted. He shall also perform the duties of treasurer of the Nuic'loc', and shall pay all drafts presented to him out of the funds of the treasury of the Nuic'loc' when signed by the Pec'Noet' and Ri'rad'yl'Res'tneag' with the seal of the Nuic'loc' affixed.

REUQ'RAT'SEM'RAT'RES'TNEAG.

The reuq'rat'sem'Res'tneag' shall provide suitable quarters for holding Vob'sceui' of (19) his Nuic'loc'. He shall see that such quarters are fully equipped and in suitable order for Vob'sceui', and shall have charge of same. Res'tneag of the Dreug' shall perform the duties of Reuq'rat'sem'rat'Res'tneag in his Nuic'loc' (when a Nuic'loc' is not strong enough to each,) and he shall command the assistance of the Nas'not'la' and Keop'ta for this purpose.

RI'RAD'YL'RES'TNEAG.

The Ri'rad'yl'Res'tneag shall keep secure all the records and accounts, etc., of their respective Nuic'sloc'; conduct all correspondence, record the minutes of each

Vob'sceui, and perform such other duties as may be imposed upon him by this constitution and the laws made in pursuance of the same.

RES'TNEAG OF THE DEEUG.

Shall interrogate all comers when called upon by the Nas'not'la, and thoroughly satisfy himself that they have a right to admittance into the Vob'sceui before passing him.

NAS'NOT'LA.

Shall be alert and watchful at all times and see that no one gains admittance to the Vob'sceui without giving the pass-word.

KCOP'TA.

Shall be posted at the outer door, which he shall securely guard and see that none approach without giving the countersign.

VOB'SCEUI.

County Nuic'sloc; shall hold Vob'sceui once a month or oftener. The Pec'noet of each Nuic'sloc' shall have the power to convene special Vob'sceui whenever in his opinion the good of the order requires.

District Nuic'sloc shall hold Vob'sceui once every year.

State and supreme Nuic'sloc shall hold Vob'sceui once every year.

FINANCE.

It shall be the duty of the O. S. of each county Nuic'sloc to collect all initiation fees and dues and turn them over to the S. L. at each meeting of the said Nuic'sloc' and take his receipt therefor, which shall be entered upon record of said Nuic'sloc.

It shall be the duty of the said S. L. to receive all monies from the O. S., and to receipt for the same; also to forward to the de'uj'tnet' of gorb'ade a quarterly report, accompanied by the dues and fees belonging to the state and national nuic'sloc', according to the constitution and the by-laws.

It shall be the duty of the de'uj'tnet' of gorb'ade' to receive all monies and receipt therefor, and turn the same over to the L. C., and take his receipt for the same, which shall be entered upon the record of the said gorb'ade'.

It shall be the duty of the L. C. to receive all monies which shall come into his hands, according to these by-laws, and pay the same out on warrants properly signed by the B. G. and de'uj'tnet of gorb'ade', and also make out and forward to the A. G. of the N. C. a quarterly report of the amount due the N. C., which amount must accompany the report, taking receipt therefor, which shall be filed and recorded.

It shall be the duty of the A. G. to keep a true account of all the monies received by him, make out a report of the same and turn all over to the M. G. on the first day of each and every month, taking his receipt for the same, which shall be filed (21) and recorded.

It shall be the duty of the M. G. to receive all monies belonging to the N. C. and pay the same out on warrants, properly drawn and signed by the A. G. and Nag' of N. C., as provided by these by-laws.

The commanding officer of each nuic'loc', before vacating his office, shall appoint a finance committee of three competent mic'sader', whose duty shall be to examine the books of the ri'rad'yl' res'tneag' and second naol'nat'tne' and report their condition to the next regular meeting of the order.

CHARTER FEES.

The charter fee of each township nuic'loc' shall be five (5) dollars, which shall be paid to the R. O. that forms such nuic'loc'.

The charter fee of each county nuic'loc' shall be sixteen (16) dollars, fourteen

(14) of said fee to be paid to the ar'toure'gno' officers, one dollar to be forwarded to the national secretary and one dollar to the de'uj'tnent' of orb'adeg' to be applied on the charter fee of the state nuic'loc'. The charter fee of each state nuic'loc' shall be one dollar (1) for each county nuic'loc' in said state. Said fees to be forwarded to the secretary of the national nuic'loc' as soon as received.

DUTIES OF THE NATIONAL SECRETARY.

The secretary of the national nuic'loc' shall keep a true account between the national nuic'loc' and its officers and report the same to its annual meetings. He shall receive as compensation for services such sum as may be fixed by the national nuic'loc' (22).

DUES.

Each mic'ader shall pay dues at the beginning of each quarter, the quarter to begin on the first day of January of each year.

The members of every nuic'loc' shall pay into the treasury as regular dues not less than twenty-five cents a quarter.

AMENDMENTS.

Our declaration of purposes shall never be changed by amendment or otherwise, and all laws, rules or regulations contrary to the letter and spirit thereof shall be void.

To change this constitution and ritual a vote of two thirds of the delegates to the national Nuic'loc' and the sanction of the inner Nuic'loc' to be evidenced by its seal is required.

DUTIES OF AR'TOURE'GNO' OFFICERS.

There shall be elected every two years by the national Nuic'loc', one national Ar'toure'gno' officer, who shall have entire charge of the organizing forces, subject only to the executive board and superior inner Nuic'loc'. He shall rank in this Ri'rad as lieutenant general. He shall have the power to appoint such assistant R. O. as he may deem necessary, who shall be commissioned to perform all the duties of the national R. O. and shall receive for these services the same fees as are allowed by law to the national R. O., except R. O. appointed in the different states, whose salary shall be fixed and paid by the state Nuic'loc'.

The national R. O. and his assistants shall receive for their services fourteen (14) dollars out of the charter fee of each county Nuic'loc' formed by them, and ninety per cent. of the charter fee of each state Nuic'loc' formed by said (23) officer, said R. O. railway fare shall be paid while traveling in the interest of the order. In addition said officer shall receive two dollars per day for his expenses.

All ar'toure'gno' officers shall travel in the interest of the order, organizing all new Nuic'loc's, and see that the same are furnished with charters and other necessities pertaining to the order.

The National ar'toure'gno' Officer and his assistants shall make a report to the Secretary of the National Nuic'loc', quarterly, of all their work and traveling expenses connected therewith, which shall be entered on the record.

CORRESPONDENCE.

All secret official correspondence of the order shall be in cipher.

MIC'DER'POHS.

No one shall be eligible to mic'der'pohs' in this order who is not a white person of superior intelligence, true and faithful, and devoted to the principles set forth in our declaration of purposes, and whose wealth exceeds \$100,000, and who does not believe in the existence of a Supreme Being.

MISCELLANEOUS.

The duties of all officers of State and Supreme Nuic'sloc' shall correspond to officers of a like character in county Nuic'sloc', except in a higher degree. The constitutions and by-laws shall apply to all district and State Nuic'sloc' as far as practicable. Officers of the N. C. shall be elected every two years.

PASS-WORD.

No mic'ader shall be entitled to the quarterly (24) pass-word or be admitted into the Nuic'loc' while in arrears of one quarter's dues.

Each county Nuic'loc' shall forward to the De'uj'tnet' of Orb'adeg' quarterly twenty-five cents for each member in good standing, twelve and one-half cents to be held for the use of the State Nuic'loc' and twelve and one-half cents to be forwarded by the De'uj'tnet' of Orb'adeg' to the Secretary of the National Nuic'loc'.

Each county Nuic'loc' shall have the power to regulate its own dues in addition to the dues set out in the above section.

BY-LAWS.—RULES OF ORDER AND DEBATE.

1. No mic'ader shall address the Pec'noet, or Nuic'loc' without first rising to his feet and being recognized by the Pec'noet,

2. No mic'ader shall speak on any question until it be put in the form of a motion and duly seconded.

3. No mic'ader shall interrupt another while speaking, unless he rises to a point of order; he shall then state his objection in as few words as possible and take his seat. No mic'ader shall speak more than twice on the same subject, nor longer than five minutes for each speech, without the consent of a majority of the mic'sader present.

5. Any question may be discussed by the consent of the Nuic'loc'.

6. Questions of a personal nature, affecting a mic'ader, shall lie over until the next Vob'ceui, except by the unanimous consent of the mic'sader present.

Cushing's Manual shall be our guide in parliamentary usage when it does not conflict with this constitution and by-laws.

PEC'NOET.—The acting Pec'noet's decision upon any point of order or debate shall be absolute and final until overruled by the Nuic'loc' (25), but any mic'ader shall have the right to appeal from a decision of the Pec'noet to the Nuic'loc'.

TRIAL.—No mic'ader shall be punished without a fair and impartial trial. All offenses shall be tried by the mic'sader in vob'ceui assembled.

EXPULSION.—A mic'ader who violates his oath shall be expelled from the order, and pending his trial shall be under guard.

2. To suspend or expel a mic'ader, or impeach an officer, a majority of two-thirds of the mic'sader of the Nuic'sloc' in good standing.

BLACK-LIST.—Ri'rad'yl' Ras'tneag of Nuic'sloc' shall at once notify their State Nuic'sloc' when any mic'ader has been expelled. State De'uj'tnet' of Grob'ade' as soon as practicable thereafter, notify all District Nuic'sloc' within its own bounds, and the Supreme Nuic'sloc' shall notify all subordinate Nuic'selo'.

NA'TSOL'TNAM FEE.—The Na'tsol'tnam' fee shall be one dollar for each ar'tourc'.

CLOSING CEREMONY.

Cap. Mic'sader, how should we herem?

All respond:—DaSnom'rat'ad'it' dna'fad' our sacred principles and the stac'as' of our order. We reaws' till thead'".

(lle'kem'gno'sngos'.)

Cap. says:—"Herem'."

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Q. Now produce any other original documents that you may have relating to this expose.

(Witness here produces paper.)

Q. What paper have you in your hand there now? A. I have a letter of the secretary or adjutant of the En Niot Le Ri Rad Ov Sattad, calling a meeting at Wichita.

Q. When did you get possession of this? A. I got possession about the 17th or 18th of October, 1888.

Q. Just prior to the publication? A. Yes, sir.

Q. From whom did you obtain it? A. Mr. Bion Hutchins.

Q. Was this a part of the original matter from which the expose was compiled? A. Yes, sir.

(The paper is here marked "Exhibit 9," introduced in evidence, and was as follows. See fac-simile, printed herewith.)

Q. What pamphlet have you now, Mr. Greer? A. I have the minutes of the meeting of the National Order of Videttes, held at Yates Center on March 22d.

Q. And the contents of this document entered into publication October 18th? A. Yes, sir.

(Paper here marked exhibit ten and entered as evidence).

[Exhibit 10.]

Atets Nuic'loc

—OF—

Gorb'eda 34.

atets of ses'nek.

Satey Nao'rat, Sk., March 22d.

State Nuic'loc called to order with Nag. T. F. Hannan in the chair.

Committee on credentials appointed by the chair: C. Vincen, Frank Murch and A. E. Gibson.

Committee reported favorably on the following credentials, and the Mic'sader presenting the same admitted.

LIST OF DELEGATES:

G. A. Schumacker.....	Co. E, Reg. 3, Girard.	R. Marshall.....	Co. D, Reg. 7, Sun City.
Protus Blume.....	Co. D, Reg. 4, Yates Center.	J. J. Campbell.....	Co. D, Reg. 4, Toronto.
James P. Sproul.....	Co. G, Reg. 2, Fort Scott.	A. H. H. Petty.....	Co. D, Reg. 4, Yates Center.
J. W. Briedenthal.....	Co. E, Reg. 3, Chetopa.	D. J. Clifford.....	Co. A, Reg. 1, Atchison.
W. M. Goodner.....	Co. H, Reg. 7, Larned.	Sam Oberlander.....	Co. F, Reg. 3, Howard.
John Hutton.....	Co. B, Reg. 3, Neodesha.	W. J. Reed.....	Co. F, Reg. 3, Howard.
J. G. Curtis.....	Co. B, Reg. 2, Shawnee.	John Heaston.....	Co. H, Reg. 4, Council Grove
Mat Semple.....	Co. D, Reg. 2, Ottawa.	John Gray.....	Co. G, Reg. 4, Osage City.
H. P. Campbell.....	Co. F, Reg. 2, Mound City.	Edwin Orr.....	Co. B, Reg. 3, New Albany.
C. M. Cline.....	Co. F, Reg. 2, Garnett.	A. M. Stoddard.....	Co. C, Reg. 4, Eureka.
B. V. Carey.....	Co. E, Reg. 7, Wichita.	Samuel Nutt.....	Co. B, Reg. 7, South Haven.
Charles Doas.....	Co. F, Reg. 7, Kingman.	E. B. Fonda.....	Co. B, Reg. 3, Neodesha.
E. R. McCorkell.....	Co. E, Reg. 4, Burlington.	E. Thurston.....	Co. E, Reg. 3, Chanute.
C. N. Nelson.....	Co. C, Reg. 7, Galva.	T. F. Hannan.....	Co. A, Reg. 2, Kansas City.
John Handley.....	Co. H, Reg. 4, Council Grove	A. E. Gibson.....	Co. C, Reg. 4, Fall River.
J. W. Eastman.....	Co. A, Reg. 4, Emporia.	G. W. Pike.....	N. R. O., St. Louis, Mo.
C. H. Rogers.....	Co. A, Reg. 7, Hutchinson.	C. Vincen.....	R. O., Winfield.
Edward S. Moore.....	Co. A, Reg. 3, Winfield.	F. Murch.....	R. O., Yates Center.
John F. Young.....	Co. G, Reg. 4, Seranton.		

Report of De'uj'tnet Nag. on the condition of the Atets Nuic'loc. which report was accepted.

Mic'sader Heaston made his report as delegate to said N. C., relating what business had been transacted there, and developing the picture of the general condition of the Ri'rad, which inspired all the eager listeners with enthusiasm and love for the great work in which they are engaged. The report drew forth a general discussion on the political outlook, and on the best means by which to accomplish our ends. It appears as the sentiment of the Nuic'loc by overwhelming majority that although

the union labor party—the party arrayed against the same foes as “13”—must receive the full extent of all our efforts, still it is advisable that “13” should keep the conventions of all parties and secure the nomination of Mic’sader. Where such can not be done, is is best to work for the worst stick the party has, and thus weaken the party, if we cannot make it carry our men unknowingly. An exception to such tactics is the union labor party, where it will be our desire to see the best men nominated, even though we may not succeed in every instance to nominate Mic’sader. It is advisable that each Nuic’loc adopt any honorable means that might suggest themselves under the circumstances as best adapted to further our noble cause.

Bill of Mic’sader Heaston, as delegate to N. C. at St. Louis, was allowed, and remitted by H. less \$10 used for the good of the order.

Delegate C. Vincent made his report full of valuable suggestions and imparting to every one the necessity to work as untiring and faithfully in Kansas as had been reported from all over the United States. The next C. N. will meet on May 15, 1888, at Noc’noc’oten.

After remarks by Mic’sader, Rogers and Goodner, and a touching appeal by Oberlander, to let our every deed and thought be pure, reports from the County Nuic’slic were then called for and responded to by Mic. Vincent, Nutt, Rogers, Clifford, Doas and others. Mic. Vincent described his mode of procedure when organizing new Nuic’sloc, which found great approval. Lengthy discussion of the condition of things in Reno and Kingman counties and action of Nuic’loc to bring things in shape. Report of Mic. Carey from Sedgwick county, which looms up with five county Nuic’sloc.

Nuic’loc adjourned till 7:30 P. M.

MARCH 20, 7:30 P. M.

Nuic’loc called to order. On motion committees were appointed as follows:

Committee of three on the state of the order; committee of two on auxiliary printing; committee of three on report of de’uj’tnet neg; committee of three on state charter.

N. R. O. Geo. W. Pike made a stirring speech and fully explained the unwritten work; he was followed by Mic. Heaston, who was “loaded for bear,” and delivered a fiery speech. G. W. Pike and Heaston held their audience spell-bound until 12 o’clock, when nuic’loc’ adjourned to meet Friday, March 23d, at 10 A. M.

MARCH 23.

Mic. A. E. Gibson being suddenly called home, C. H. Rogers was appointed secretary *pro tempore*. Nag. Hannan spoke of the existence of a secret order in the interest of monopoly. Mic. Pike was called for and stated what he knew about such order, which seems to be an enlargement of the “Pinkerton Detective system,” by the way of a secret order, having lodges with armed members everywhere. We, however, ought to have no fear of such a concern as we are advocating a just cause. It is recommended to all mic’sader if any opportunity offers, to learn as much as possible of the inside workings of the order of these hirelings of iniquity.

Committee on state of the order, consisting of Mic’s Frank A. Murch, Chas. Doas and W. M. Goodner, submitted the following report:

In general our order is prosperous, and had unparalleled growth as to time of existence. Many Nuic’sloc are doing grand work, whilst others are not heard from. We believe they are hesitating for want of further instruction. Whilst several Nuic’sloc are not represented at the Atets Nuic’loc, we think it is rather for the want of funds than for the lack of good material in these Nuic’sloc or for want of interest.

Inasmuch as each Nuic’loc is exactly what the members make it, we recommend

that the delegates endeavor to inspire their respective Nuic'sloc with the utmost energy and with the enthusiasm prevalent at the Atets Nuic'loc.

We find that the system of finance in our order, especially in county Nuic'sloc, needs perfecting.

We recommend that at the time of organizing new Nuic'sloc, the election of officers, if held at all at that time by the members of the new Nuic'loc, be only temporary, and that permanent officers be elected one month thereafter.

Report was received, and discussed by Mic's Murch, Pike, Doas, Goodner, Campbell, Carey, Vincent, and Schumacher. Motion to refer the last section of the report to the Committee on Laws and the rest adopted. Carried.

The following report on auxiliary printing was then presented by committee consisting of Mic's G. A. Schumacher, Ch'n, C. H. Rogers, Sec'y, and C. Vincent.

Committee met in parlor of Central hotel. G. A. Schumacher elected chairman and C. H. Rogers, secretary. The plan of the Auxiliary Association was read. Mr. Moore stated that it was desired to organize this Association with a capital of \$10,000. Mic. Moore further read what had already been done in the matter. Remarks were made by Mic. Heaston, stating that such an enterprise is already started at a meeting held in Topeka. Mic. Rogers made some remarks. Mic. Moore further explained. Remarks were made by Mic. Heaston, who offered to donate a two-horse engine and assist in furnishing a press. He was followed by Semple. Moved and seconded that the proposition of the Vincent Bros. be accepted, and we assist in pushing the enterprise, which was discussed by Heaston, Blume, Moore, Semple, and unanimously carried.

It was moved and seconded that Mic'sader here assembled, be urged to subscribe all they can at once, to be paid when 600 shares are subscribed. Adjourned.

The foregoing report of Committee on Auxiliary Printing was presented and accepted.

The following report of the Committee on Resolutions was presented, and discussed by Mic's. Murch, Goodner, Rodgers, Nelson, Clifford, Vincent, Campbell, Bridenthal, and Heaston, and a motion to amend the original caption of Article I being carried, the report was adopted by Nuic'loc as amended.

Member of committee, Mic. Clifford: The report of this committee as amended and adopted, is as follows:

Be it Resolved, That we heartily endorse the entire Union Labor National Platform of February 22, 1887, and recommend that no material change be made at present, either in the platform or the name of the party.

2. That we recommend that the N. C. take such steps in regard to the appointment of organizers as will protect the organization from the mistakes too often made in such organizations, in the admission of unworthy persons.

3. That we urge upon all Mic'sader the necessity of a thorough organization of the Union Labor party in every county in the state, and oppose any fusion or combination of the U. L. party with either of the old parties. And we would further urge upon all Mic'sader the importance of every union labor man attending all conventions of the party held in their counties or districts. The good effect of a large convention can not be over-estimated.

4. That we urge upon state organizers that they use the utmost care and precaution in the organization of county Nuic'sloc. Let none but true patriots be admitted.

Nuic'loc adjourned until 1:30 P. M.

MARCH, 23d, 1:30 P. M.

Opened at 1:30 o'clock by proclamation, and proceeded at once to business.

The following resolution concerning the death of Mic'sader Gordon, was adopted:

Resolved, That we extend to the Mic'sader of Mic'nepe'y H. of Columbus, Kansas, our heartfelt.

sympathy in the loss they have sustained in the death of Mic'ader Gordon at the hands of an assassin, and assure them of the hearty support of this order in bringing the guilty parties to justice.

Nag. Hannan referred to a Mic'ader (editor) who was soon to be tried at Topeka; means and ways discussed by which the Mic'ader can receive a practical expression of our sympathy and our effective coöperation. Remarks by Clifford, Doas, Vincent and others. Committee on recommendation (and laws), consisting of Mic'sader J. W. Eastman and B. V. Carey; committee submitted the following report which was adopted after discussion:

We, your committee on the report of the De'uj'tnet of Gorb'ade beg leave to submit the following, and recommend its adoption:

1. That all county Nuic'sloc be called together at the first meeting of each quarter, beginning with April, for the purpose of discussing questions of importance that may arise for the better organization of the county, and the payment for dues and making of reports.

2. That the term of office of the officers of new county and township Nuic'sloc shall not exceed one month, or until their successors are duly qualified, and thereafter all officers shall be elected at the first regular meeting in April and October.

3. That the Mic'nem'gnod Nag'lera furnish such county Nuic'sloc as are in good standing, a new pass-word every Renq'rat. Signed.

Committee on state charter submitted the following report:

Resolved, That we recommend the purchase of the state charter, and that an order be drawn for the same. If sufficient money be not in the treasury, that such representatives as desire may advance enough money to make up the deficiency, which shall be credited on the ensuing accounts of their respective Nuic'sloc.

On motion it was ordered that an order for \$20 be drawn on the treasurer, in favor of Mic. Pike, to apply on charter. A recruit being in waiting, on motion, Mic'ader Pike was invited to personate all the offices in initiation, and, accordingly, Morris Raaburn was initiated in due form, and became a Mic'ader in D—4—34—I—. While this Mic. was being prepared for initiation, the following Mic'sader paid the amounts opposite their names to apply on state charter, and to be credited on the account of their respective Nuic'sloc:

J. G. Curtis, Johnson county.....	\$1 00	J. W. Briedenthal, Labette county.....	6 00
Charles Doas, Kingman county.....	1 00	T. F. Hannan, Wyandotte county.....	1 00
John Heaston, Morris county.....	2 00	Clifford, Atchison county.....	1 00
Mat Semple, Franklin county.....	1 00	S. R. McCorkle, Coffey county.....	1 00
E. B. Fonda, Wilson county.....	1 50	F. Van Rosmalen, Wilson county.....	1 00
E. N. Clure, Anderson county.....	1 00	Sproul, Bourbon county.....	1 00
E. P. Campbell, Linn county.....	1 00	C. Vincent, Cowley county.....	2 00
E. S. Moore, Cowley county.....	1 00	Gray, Osage county.....	1 00

Following the initiation Mic'ader Heaston spoke of the state organization, and moved that Mic'ader Murch be made the State Ri'neg'zo'ra for Nek'ses. Seconded by Doas. After considerable discussion the motion was carried and Mic. Pike requested to appoint Mic. Murch to the position, in compliance to the motion.

On motion Mic'sader T. F. Hannan and I. Vincent were elected as representatives of the State Nuic'loc to the N. Nuic'loc, to be held at Cincinnati some time in May.

Motion that the expenses of delegate and national officer be paid to N. C. at Cincinnati by the S. C., and that funds be raised therefor. Carried.

Moved that a special assessment of 25 cents on each member be levied to defray the above expenses, and that such assessment be general over the state and be due to Atets' Adj. A. E. Gibson immediately on receipt of this report. Carried.

On motion carried, Mic'sader C. Vincent, Carey, Briedenthal and Semple were also made delegates, to be ready for a possible contingency.

It was moved and motion carried, that in election of Union Labor Party, members of "13" be elected delegates to conventions.

On motion the following resolution was adopted:

The Pec'noets are instructed to prepare memorandum books from Ilip skilb of all al'leg tiv'sra in each township, and keep the same in readiness for committees that shall want them.

Moved that it is the sense of this Atets Nuic'loc that every effort be made at every state, county and district convention, that as many members of "13" and of the Union Labor Party as possible turn out, and make and stir up an enthusiam worthy of our noble cause.

Motion carried unanimously.

Mic. Pike made remarks concerning the necessity of always having good news.

Moved, and motion carried, that a concise report of the proceedings of the Atets Nuic'loc be furnished to all county nuic'sloc and ad'heet'stnem.

On motion, De'uj'tnet instructed to send the pamphlet from Winfield through the Pacific express office.

Moved, and motion carried, that it be the sense of this Nuic'loc that where a necessity exists for so doing, women are considered eligible to this order.

Nuic'loc adjourned until 7:30 P.M.

EVENING SESSION.

Nuic'loc opened in due form.

It was suggested that members of the second and seventh congressional districts remain for special conference after the close of the session. The representative members from these districts complied.

On motion, it was declared the sense of this S. C. that in all political work we must work in unison.

Mic' Heaston addressed the meeting. Felt gratified for the light that was being received in Kansas, moralized upon the probability of more or less mistakes, but being careful to avoid them, we must march with measured tread in solid phalanx. He made a touching appeal on behalf of the mortgage-ridden people of Kansas and the whole United States. All things point to a firm intent of the money power to take advantage of the helplessness of the people and inaugurate a crisis unheard of in history. Compare the cause and effect of their secret order of the Pinkerton hounds. Is this not an unmistakable sign that they are getting ready for such a crisis? We must win soon or we are too late.

Mic' Campbell followed in eloquent words spoken of our American liberty and its oppression from without and within. To-day we are bound with chains more ruthless than those which bound the dusky sons of Africa. We must arouse and maintain our chartered rights.

Bill for \$2, presented by A. E. Gibson; allowed.

Collection taken for hall rent, \$4.45.

Mic. Moore again presented the matter of the Auxiliary Printing Association, and solicited stock subscriptions.

Motion carried that an order for \$35 be drawn on the treasury, to be paid to Mic. Pike for State Charter, being payment in full therefor.

Mic' Heaston presented the Auxiliary Press matter again, with a subscription of forty shares, and announced that over 500 shares were already taken. He exhorted Mic'sader to simply do their duty, and this enterprise will surely succeed.

The matter of Union Labor State Convention was discussed at great length.

Moved and motion carried, that C. B. Hoffman and J. W. Briedenthal be appointed as delegates at large to the N. C. and U. L. Convention. Carried, that the different Gar'o'stnam (corresponding to congressional districts) meet at the same time and place that the District Conventions meet.

[EXHIBIT 12.]

E. L. F. (N. O. V.) E. L. F.

Dear Sir: In accordance with the constitution and by-laws fill out the following report and send at once the amount due the.....Council, Postoffice.....
County.....State.....Date of organization.....No. of mem-
bers.....No. of organizations in county.....No. of members in town-
ship council in county.....
Capt.....First Lient.....Second Lient.....O. S.....
Names of members.

(If not room enough for full list of membership fill out on blank sheet of
paper and attach to this.)
Dues to.....council,c. per capita.....
Received for initiations and dues.....
Amount expended for necessary expenses.....
Balance on hand.....
.....Captain.

Attest:O. S.

NOTE. The O. S. will make out this report, and return as soon as possible, in
order that we may at once put organizers at work to extend the order. The char-
ters are ready.

[EXHIBIT 13.]

N. O. V.
[Portrait of Washington.]
E. L. F. 1776. E. L. F.

TO WHOM IT MAY CONCERN:

Know all Men by these Presents, That by authority invested in me, I do hereby
grant to.....
Power to meet and work as detachment No..... Co.....
Reg.....Brig.....Army.....subject to the order of the
Superior Council. Signed,
Capt. Co....Reg....Brig....Army....

[Flag.]

[EXHIBIT 14.]

HEADQUARTERS [Paper torn off.]
INDIANAPOLIS, IND [Paper torn off.]
General Order No. 1.

Adjutant General John Medert: You will at once forward to the mic. dnem, gno
fi, of, rac of each gorb'ade of the N. O. V. in the United States, the following ques-
tion, with orders to forward the same to the Pec of each Nuic'loc, instructing them
to submit said question to the Nuic'sloc and their detachments, for their considera-
tion and discussion, viz.:

[EXHIBIT 15.]

NOTE.—We are now strong enough to be masters of the situation and will move
to the front. Let no mic'ader falter. Let no line waver. Let foot keep step with

foot. Let hand strike with hand, let heart beat responsive to heart, and we will win.

Fail not to discuss these questions thoroughly and we will soon give you something more vital.

A. HARRINGTON, *Nag, mic, dnm, gno.*

[EXHIBIT 16.]

SUPPLIES.

It was ordered by the N. C. that the N. R. O., G. W. Pike, furnish all the supplies of the order, which will be promptly done at the prices given below. Observe without fail the following rules :

Write all communications as pointedly as possible to express your wants.

Always use return envelopes.

Send stamp in every instance where a reply is wanted.

Write your name and address very plainly, and never fail to send cash with every order.

PRICE LIST.

Rituals to Nuic' Sloc, per dozen.....	\$1 00
Rituals to Nuic' Sloc, per half dozen.....	60
Rituals to R. O's., per dozen.....	75
Blank charters, per dozen.....	60
Blank charters, per half dozen.....	35
R. O's. commissions, each.....	10
Quarterly reports, per hundred.....	2 00
R. O's. quarterly reports, per hundred.....	1 00
Money orders, per hundred.....	50
Receipts, per hundred.....	50
Transfer cards, per dozen.....	60
Traveling cards, per dozen.....	60

All single blanks, 10 cents each.

Union labor literature at lowest possible prices.

Address all orders to, A. E. GIBSON, *Deputy N. R. O.*, Fall River, Kansas.

NOTE.—After we were forced to raise the price of supplies in order to sustain the office.

Q. Now you fix the date of your being in Topeka for the purpose of compiling this matter, as the 12th of October. Now have you no means by which you were enabled to fix that date? A. Yes, sir.

Q. Please state what it was? A. I received a telegram from Mr. Booth, which I have here.

Q. Was this trip made to Topeka pursuant to the request contained in that telegram? A. It was.

Q. That is how you fixed the dates? [Exhibit 18 is here introduced and offered in evidence, and was as follows:]

(EXHIBIT 18.)

WESTERN UNION TELEGRAPH COMPANY.

[Printed matter.]

Received at Winfield, Kansas, October 11—11:05 A.

Dated, Topeka, Kas., Oct. 11, 1888.

To Hon. Ed. P. Greer, Winfield, Kas.: Come to Topeka on first train.

HENRY BOOTH.

Q. Was there any other communication of any kind by telegram, or otherwise, from Mr. Hutchins, Mr. Booth, or Mr. Henrie, concerning this matter. A. Yes, sir.

Q. Will you produce it?

[Here witness produces telegram.]

Q. This is the first telegram in connection with it? A. Yes, sir.

[The telegram referred to was here offered in evidence, marked, Exhibit 19, and was as follows:]

[EXHIBIT 19.]

THE WESTERN UNION TELEGRAPH COMPANY.

[Printed Matter.]

Number 36, Ks. Sent by B. R. Received by K. 25 paid, check.

Received at Winfield, Kansas, 3 P. M., Oct. 5, 1888.

Dated, Topeka, Ks., 5.

To Ed. P. Greer: By no means publish pamphlet now. We have much more important matter on the same subject to send you. Send proof-sheet by first mail.
Answer.

HENRY BOOTH.

Q. What reply did you make to that, if any? A. I replied to that by letter that I had already published the pamphlet before the receipt of his telegram.

Q. Have you that letter with you? A. No, sir; I did not keep copies of the letters which I wrote to Mr. Booth.

Q. Any other communications from Mr. Booth to you? A. I went to Topeka in response to that telegram, there prepared the matter and arranged with Mr. Booth and Mr. Hutchins that it should be published simultaneously in a number of papers throughout the state, the morning daily papers in Kansas and Missouri. It was then arranged that the matter was to be published in my paper at Winfield, and it was also to be set up here and plates prepared and sent to the various papers, to be used as specials from Winfield. I was to hold the matter at Winfield for publication in the evening until the plates were known to be in the hands of the various daily papers. After completing these arrangements on my visit here to Topeka, I returned home and began the preparation of the matter there, putting it in type, and so forth, as fast as the matter was arranged here. On the 15th or 16th of October I received this letter from Mr. Booth.

Q. Concerning this same matter? A. Yes, sir.

[The letter is here offered in evidence, marked "Exhibit 20," and was as follows:]

[EXHIBIT 20.]

Henry Booth, *Chairman*.

Bion S. Hutchins, *Secretary*.

W. A. Gebhardt, *Assistant Secretary*.

L. L. Turner, *Treasurer*.

Executive Committee:

Henry Booth, <i>Chairman</i> ,	R. W. Blue,
D. E. Cornell,	John N. Ritter,
Ed. F. Jones,	A. P. Riddle,
J. M. Miller,	J. M. Simpson,
W. H. Nelson,	Harrison Kelley,

HEADQUARTERS
REPUBLICAN STATE CENTRAL COMMITTEE,
PARLOR "D," WINDSOR HOTEL.

TOPEKA, KANSAS, October 15, 1888.

Hon. Ed. Greer, Winfield, Kansas - DEAR SIR: After consultation, it has been decided that it is not best to send you a matrix of the forthcoming *expose*, for the reason that by your using the same type as is used in the campaign document, will make its origin altogether too plain. You had better, therefore, send help enough to handle the whole thing. We will send you advance proof-sheet to-morrow of such portions as are ready. We will send you matrix of *fac simile*. There will be about nine columns of the stuff. Sorry to disappoint you concerning matrix, but feel positive that your judgment will be the same as ours. Yours respectfully,

HENRY BOOTH.

Q. Did you receive any further communication from him concerning this matter? A. Yes, sir. I received a letter from Mr. Hutchins dated October 17th, 1888.

[Witness here produces the letter, and the same is offered in evidence, marked -"Exhibit 21," and was as follows :]

[EXHIBIT 21.]

Henry Booth, *Chairman*.
Bion S. Hutchins, *Secretary*,
W. A. Gebhardt, *Assistant Secretary*.
L. L. Turner, *Treasurer*.

HEADQUARTERS
STATE CENTRAL COMMITTEE,
PARLOR "D," WINDSOR HOTEL.

Executive Committee:

Henry Booth, <i>Chairman</i> .	R. W. Blue,
D. Cornell,	John N. Ritter.
Ed. F. Jones,	A. P. Riddle,
J. H. Miller,	W. H. Nelson,
J. M. Simpson,	Harrison Kelley.

TOPEKA, KANSAS, October 17, 1888.

DEAR GREER: The plate (fac simile letter) is here and forms are being made up. Will send proofs out for publication on Friday morning, probably, but will advise you by wire to-morrow, if it is to be printed by you there (Thursday eve), as before stated, "O. K., all busy here." Enclosed balance proof sheets, which I send by this noon's mail. Will send matrix of cut by mail to-night or by express, perhaps a cut itself.

Yours, hastily,

B. S. H.

You keep original copy of letter.

Q. In letter just read—Exhibit 21—we find this language, as before stated, "O. K. all busy here." Had there been some arrangement between you and Mr. Hutchins, explaining the meaning of that phrase? A. Yes, sir.

Q. What was it? A. We had tried to keep the greatest secrecy in regard to the preparation of this matter in regard to the second expose, and also that the assistance of the state central committee in securing its wide circulation. This was also to remain a political secret, and consequently Mr. Hutchins and myself concluded that our telegrams about this matter should be worded so that the telegraph operators and carriers would not understand them; that is, their attention would not be attracted to them; consequently the words were agreed on, "O. K. all busy here," which meant that he should on receipt of a telegram so worded, publish the matter at once.

Q. Did you receive any telegram of that kind? A. I did.

Q. Will you produce it? A. Yes, sir.

[Telegram produced, offered in evidence, marked exhibit 22, and was as follows:]

[EXHIBIT 22.]

THE WESTERN UNION TELEGRAPH COMPANY.

[Printed matter.]

No. 18 Ks. Sent by St., received by K. Paid. Check.

Received at Winfield, Kansas, 11:05 A. M., October 18, 1888.

Dated Topeka, Ks., 18.

To Ed. P. Greer, Editor *Courier*.

All O. K. to-day. Everybody busy here.

BION S. HUTCHINS.

Q. Does that close the correspondence? A. No, sir; I received also the following letter from Mr. Hutchins. [Witness here produces letter, and the same is offered in evidence, marked "Exhibit No. 23," and was as follows]:

[EXHIBIT 23.]

[Same letterhead as Exhibit 21.]

TOPEKA, KANSAS, 10-25, 1888.

Hon. Ed. P. Greer, Winfield, Kansas.—DEAR ED: I return the original of the "Vidette" expose to you so that you may convince the sceptical in your county and publish to the world that you have "found another," and can display absolute proof to the doubting ones. It would be well after election to send it to the State Historical Society, perhaps. Give them the d—l, and pray that the skunk that sent the bomb may be caught. Yours always,

BION S. HUTCHINS.

Acknowledge receipt.

Q. On receipt of the last telegram, which was Exhibit 22, what did you do, if anything—what instructions, if any, did you give to anyone? A. I instructed my foreman to "let 'er go Gallagher."

Q. In your direct examination you replied to a question asked by Mr. Henderson, that on the 18th you saw Professor Vincent and told him that you had a lot of matter for them; that you thought you had them down pretty fine. Was this matter that has been introduced in evidence and marked Exhibit 17, the matter to which you referred. A. Yes, sir.

Q. I believe that you said that the Vincents had denied the existence of the order of Videttes subsequent to that first publication. A. Yes, sir.

Q. Publication of the ritual of the order of Videttes?. A. Yes, sir.

Q. You may state whether or not at any time you had any talk with Geo. W. Poorman concerning this exposure of the Videttes? A. Yes, sir.

Q. When was it, and where? A. Along the latter part of September he came to my office and represented that he had knowledge of the existence of a secret revolutionary organization, known as Videttes, and that the members of the union labor party were all members of it. He came several times, and finally stated that he would go and get evidence of the existence of this organization, if we would pay his expenses. I told him I did not think it would be a good investment, and sent him over to see Mr. Cooper, chairman of the county central committee.

Q. Now, is that all the conversation you had with Poorman? A. He returned to me again and said that Mr. Cooper would pay one half of his expenses if I would pay the other half. He said his expenses would be five dollars for going after this ritual. I agreed to pay one-half of his expenses and gave him two dollars and a half for that purpose. And in a few days afterwards he came to my office and brought this book—this ritual. He seemed very much excited and said they were after him. He said: "I just saw Sam Nutt and he is following me over here, and I want to get away." Then he said: "I must get away; if I stay here I know I will get into trouble." He said: "I have no money but I have a judgment against the Vincents of forty-seven dollars, and I want you and Cooper to give me enough money to get back to Ohio and take that judgment as security."

Q. Did you do it? A. I made him a donation of five dollars. A purse was made up for him. I said to him, You go up to Topeka and see Henry Booth and talk to him about this thing. He insisted that I should go to the train and see him off. He said he must have protection and Mr. Cooper and others went down and saw him safely away. That is the last time I have ever seen him.

Q. Did you go to the train with him? A. No, sir.

Q. Was this book to be published before or after he got out of the state? A. He wanted me to hold it until he got away, but I insisted on publishing it at once and did so.

Q. Now have you submitted all the original papers that went to make up the publication of the 18th of October, exposing the National Order of the Videttes? A. Yes, sir.

Q. And from these papers that have been offered in evidence and marked Exhibits 8 and 16, inclusive, the expose was compiled? A. Yes, sir.

Q. Have you a full and complete copy of yours and Mr. Henrie's labor while together at Topeka at that time? A. I have.

Q. Will you produce it?

[Here witness produces paper.]

Q. Now, were you and Mr. C. A. Henrie together for any other purpose save the compilation of the matter and things contained in the paper which is held in my hand? A. No, sir.

Q. Is this the sole result of your labors? A. It is.

Q. And this was the sole object of your meeting and being together? A. Yes, sir.

[Paper was here offered in evidence, and marked "Exhibit 17," and was as follows:]

[EXHIBIT 17.]

The Official State Paper. }	The Topeka Capital.	{ Largest Circulation in Kansas.
VOL. X.	Topeka, Kansas, Friday Morning, October 19, 1888.	NO. 249.

ANARCHY!

IN FREE, PROSPEROUS AND PROGRESSIVE KANSAS THE HYDRA-HEADED
MONSTER APPEARS.

PURPOSES OF THE "VIDETTS."

ONE OF THE AIMS OF THE DANGEROUS SECRET ORGANIZATION IS FULL
AND COMPLETE CONTROL OF THE UNION LABOR PARTY—A
SECRET, OATH-BOUND ORGANIZATION, WITH DEATH
AS THE SURE PENALTY TO BE INFLICTED.

"ARMS AND EQUIPMENTS."

A DARK, DEEP AND DEVILISH PLOT TO OVERTHROW GOVERNMENT, LAW
AND SOCIETY.

DAMNABLE DISCLOSURES.

"NO AUTHORITY, HOWEVER SACRED, MAY DARE TO INFRINGE UPON
THE PRINCIPLES OF OUR DUTY."

UNDENIABLE EVIDENCE.

THE UNION LABOR TICKET OF KANSAS NOMINATED BY THIS SECRET
ORDER OF "VIDETTS."

[Special.]

WINFIELD, KANSAS, October 18, 1888.—The following article appears *verbatim* in to-day's issue of the evening *Courier* of this city:

The *Courier* published Thursday, October 4, one of the most startling and treasonable documents that has appeared in Kansas since the days of its fight for free soil and free speech. The disclosures made then show that the enemies of our state, our peace and happiness, and the security and safety of our families, exist now as in the earlier days of our history. The question might very properly be

asked: "Are not the foes of '88 more despicable than the foes of '60?" In the border-warfare times our enemies were open and known; they made a fight man to man, and showed their colors as warriors, even though it was to war for an unholy system. The enemies of to-day, which we have unearthed, under the name of "Videttes," seek and find a place for the doing of their revolting and anarchistical methods under the cover of secrecy and blood-curdling oath, punishment for the revelation of which is death. Against such foes, who is safe? What manner of protection shall honest citizens devise? How shall we maintain our honored form of government, or protect life and property from assassination at the hands of these conspirators, if their dark and damning deeds are allowed to continue and be perfected?

It is to avert the calamity that awaits our fair state, if the principles and objects of the "National Order of Videttes" are put into practice, that the *Courier* has set about. Treason, anarchy, and evil-doers love darkness, and light is fatal to their projects, and we propose to let in the broad glare of publicity upon the doings of the men of this order, feeling confident that we will be upheld by all good citizens, and receive the thanks of those who have unwittingly been drawn within its poisoning folds. The task which we attempt is not a light one, for so careful have been the leaders in their plottings that evidence is only obtained at great cost and labor. No organization has ever existed that has guarded its secrets so well as has this, and those who read with amazement the publication of the ritual, principles and purposes, as already published, will find themselves more astounded as they read the further proofs which it is our duty to lay before the people of Kansas. And let us say here that this is not a personal matter, as some have been pleased to state. The *Courier* has been not a little amused at the lies and subterfuges resorted to by the leaders of the "Videttes," their aiders and abettors, in their efforts to explain why, how, for what purpose "the book" was originally published. Having in our possession the overwhelming evidence which we present—and much more to give if necessary—we have delayed action until we could see to what lengths the leaders of the "Videttes" would go. But delays are dangerous, and we shall hesitate no more; and we ask all readers to bear with us, if our expose seems lengthy and tedious. We have so much evidence, that, condense as we will, the proofs are long, but the horrible purposes disclosed are so abhorrent that much proof is necessary to convince anyone that in great, free, and prosperous Kansas, anarchy of so hideous a mien could rear its head. Briefly stated, we propose to show that the elements, aims, and purposes of this organization are *anarchy, control of the union labor party, and treason.*

ANARCHY.

We must take the reader back to 1886-7, when, it will be remembered, that from every center of population was heard the voice of Anarchy, and in many places the blood-red symbol, the Anarchistic flag, was displayed. It was during this time that there obtained a foothold in this country an organization, known as "The International Working people's Association." Burnett G. Haskell, for a long time editor of the *Denver Enquirer*, the official organ of the western Anarchists, was its leader on the Pacific coast and in the west; Albert R. Parsons, since hanged at Chicago for his connection with the Haymarket tragedy, and editor of the *Alarm*, was its leader in the east, assisted by Johann Most, the blatant New York agitator. The form of this organization was in three degrees—student, teacher, legislative. Its members, and the degree to which they belonged, were known by a system of cards. Below we give a sample of the "student's" card:

AMERICAN GROUP OF THE
INTERNATIONAL WORKING PEOPLE'S ASSOCIATION.

Or.....

.....MEMBERSHIP.

Of.....

No.....

.....Fin. Sec.

The "groups" were composed of nine members each, no more being allowed in one group. As each student graduated from his group he was given a white, or "teacher's" card; when he had taught a group of nine, he was then entitled to a blue, or "legislative" card. The only meetings or knowledge one group had of another, was through those holding "legislative" cards. The similarity of the avowed anarchistic "International Working People's Association" and the "Videttes," will be seen by reading the following, taken from the "Vidette" ritual heretofore published; under the head of "legislative," on page 15, we find:

"This order shall be composed of three degrees:

"First, Nuic'sloc' (Council); second, Kanno' Nuic'sloc' (Inner Council). The I. C. shall have supreme authority over the Nuic'sloc' in their jurisdiction. The Nuic'sloc' shall be vested with full power to enact all necessary and proper laws, rules and regulations, in conformity with the foregoing declaration of purposes, subject to revision by Superior Nuic'sloc' (third)."

The reader will at once notice the forms are identical, both being so constituted as to place the control of the masses of the organization entirely in the hands of the few leaders. Had we space we might go forward through the two forms of organization, and show the same connecting link between them; but it is not necessary for our purpose. We will now call the attention of our readers to the Haymarket riots, where the bomb was thrown that landed the foremost leaders of Anarchy in America in jail, to await their trial for the death and wounds caused by the weapons of Anarchy—a dynamite bomb. It will be remembered that so revolting was this crime against man and government, that Anarchy, with all its arrogance, was found to draw in its horrible fangs, and soon its head was hid, and no more was heard of the "International Working People's Association." But what had become of those once loud-mouthed agitators, who preached the destruction and sowed the seeds of discord and devilment wherever and whenever an audience could be found and dupes obtained? They had not fled the country, for they were still seen at their favorite haunts. Were they idle? Were they willing to allow the organization which supported them to sink into oblivion, and thus allow their avocation to be gone? Well, hardly. Publicly they no longer dared to preach treason and bloodshed. What more natural than that they should form a secret, oath-bound organization, with death as a penalty, and "arms and equipments" ever ready to use should opportunity offer? This scheme presented the advantage to the leaders of securing many "recruits" under a false guise of politics, and once a "recruit," the oath and forms taken and seen were such that it would be a brave man, indeed, who would desert. Depending upon this, do we presume too much to assume that the fertile brains of the anarchistic leaders hit upon the organization of the "National Order of Videttes." With almost the exact form of organization do we find the "Videttes" and "I. W. P. A." Surely, this is more than a coincidence. If the reader will now glance over the names which we show are members of the "Videttes" in Kansas, he will be at once convinced that the leaders and defenders of anarchy in Kansas are to-day the leaders of the "Videttes." This is more than a coincidence. Remember the attitude of the Vincents, and their paper; Wakefield, and his paper; C. J. Lamb, and his paper; Mat. Semple, the anarchist of Ottawa; Snow, and his paper; C. B. Hoffman, of Enterprise, who boasts of his defense of anarchy; and many more we might name. They were all loud and strong in their defense of the Chicago criminals, who were

convicted of anarchy and murder in Chicago. These same men are the leaders of "The National Order of Videttes" of Kansas, to day. Now, let us look at the form of the expressions of the organization, and you will find anarchy in its utterances from first to last; hid at times, perhaps, but ever there, both in spirit and fact. They boldly declare that secret and anarchistic organizations are a necessity, in the following (page 4 of ritual) declaration of

PURPOSES.

The gulf which separates the capitalist from the laborer is rapidly enlarging; enormous fortunes on the one hand, idleness and absolute destitution on the other; capital secretly organized against labor on the one hand, labor secretly organized against capital on the other. These are facts of fearful and ominous import, and justify the organization of a secret order, to counterbalance the evils threatening on either hand, and to restore and keep for the people equal rights to life, liberty, and the pursuit of happiness.

Having thus plainly declared their purposes of "ominous import," they prepare to search for "recruits;" not as a legitimate and honorable organization does, but enveloped in dark mystery.

THIS IS HOW MEMBERS ARE OBTAINED:

In ar'touro'gno' (recruiting) names must be proposed in the nuic'loc' and at the next meeting may be balloted on. During the interval it is the duty of each mic'ader' (comrade) to find out all about the proposed, as much as possible, but must say nothing to excite suspicion.

BALLOTING MUST BE IN SECRET.

No mic'ader' has a right to expose his ballot. One black ball rejects. When one is elected the pec (captain) appoints a committee to wait on him, and gets his approbation of a as'tarc'ri'dar (secret order) of this kind, and if he would be willing to join if such an order could be found. If he expresses his willingness to join, he is pledged to keep everything as'tarc' (secret) that may be told him. He is then informed that there is such an order; but in no instance is he to be told any name or names of any one that belongs. It is well understood that no dli'rep'yt' savel's' (old party slaves) can be with us. [Page 14, ritual.]

Having obtained a "recruit," who must blindly promise obedience and secrecy, and who may have been entirely deceived as to the illegitimate character of the organization, the "recruit" is taken before a secret tribune, in some isolated place, where he is confronted with the mummery that evil and degraded minds can conjure up. Without warning, he is brought before the "captain," who, as is shown on page 4, of the ritual, administers the following un-American and treasonable

OATH.

Repeat after me this obligation: (Here place them in a proper position) "I, (repeating each his own name) of my own choice, in the presence of the Supreme Ruler of the universe, and calling to witness the spirits of those departed patriots who, in time past, have toiled in the cause of human liberty, and by the reverence I owe my father and mother, I solemnly swear, without evasion or mental reservation, never to reveal to any human being, except a Mic'ader (comrade), or by the order of this Nuic'loc (council), anything I may see or hear while assembled in biv' (bivouac), or any other secrets of our order, or the existence of the same; that I will never solicit anyone for na'tsol'tnam (enlistment), whom I do not believe to be superior in intellect, faithful and true, and devoted to the cause for which we are enlisted; that I will always implicitly obey the orders of this Nuic'loc and the officers thereof, which do not conflict with my duty to God and my family, and the letter

and spirit of our declaration of purposes; that I will never knowingly injure or defraud a Mic'ader, speak the truth, the whole truth, and nothing but the truth; that I will ever be ready to recognize the signs of this order; that should I for any cause cease to be a Mic'ader of this order, I will keep this oath as sacred out of the order as in it; to this I pledge my life, my liberty, and my sacred honor; and should I willingly break this oath I rus'nar'rad ym' ydib'it' aht' tsunj' nav'acneag fi' ym' mic'ader. [Translated, this reads as follows: I surrender my body to the just vengeance of my comrades,] and invoke upon myself the curses of the Supreme Ruler of the universe, and the universal detestation of mankind."

Men of America, you who have loved and served your country, you who respect our free institutions, you who feel a pride in being an honest freeman, read again the purposes of this "vidett," and read a second time the oath which binds men to support those purposes, and answer for yourselves whether or no this is treason, anarchy, or loyalty to our country. Heed this import of his oath. It says, "which do not conflict with my duty to God and my family, and the letter and spirit of our declaration of purposes." Not a word is said of the "duty" to our country, of "duty" as a citizen, but "the letter and spirit of our declaration," is all that binds these men, and these are to be regarded more sacred than life. What is the duty of honest men and citizens toward such a clan as this? Who will hesitate for an answer? Surely not the men of Kansas, now that they know the nature and purpose of this organization. But not satisfied with all these blood-shedding and free-government-destroying principles, and death-sentencing oaths, on page 7 of the ritual we find that the "recruit" must be given the following

INSTRUCTIONS.

A mic'ader's first lesson should be obedience; prompt, unhesitating, implicit obedience. Napoleon Bonaparte, the greatest military genius the world ever saw, lost the dominion of the world because one of his generals delayed half an hour in executing a command. Because of a moment of disobedience, Moses failed to enter the promised land.

Our cause, mic'ader', must not be imperiled by a moment's disobedience on the part of anyone; it is too sacred, too grand, too important to the human race. It is the cause of universal humanity. The blood of thousands of martyred patriots, from Tiberius and Caius Gracchus to the last soldier who died in the cause of liberty; calls upon you to obey like soldiers while you feel like freemen. Again: The cause in which you are na'tsol'da [enlisted] calls for the united efforts of all. Our enemies, the foes of "equality, liberty, and fraternity," are fortified behind almost impregnable breastworks. Organized capital on the one hand threatens equally desperate poverty on the other. . . . Our last, our only remedy is the united efforts of all who love our country. 'Union is strength.' Unity of action was so perfect in the celebrated Macedonian phalanx that it marched as one body, charged as one body,

FOUGHT AS ONE BODY,

and its ranks were not broken for generations. Let our union typify such a phalanx; let foot keep step with foot in our march upon the enemies of humanity; let hand strike with hand in the battle of human rights, and heart beat responsive to heart in our united devotion to our sacred cause, and the enemies of humanity must inevitably disappear. . . . I ask you, then, do we not owe the most sacred duty that ever fell to the lot of man to perform, to preserve these institutions? May the spirits of the noble dead hover around our cardinal tenets, and form an impenetrable sacred shield, never to be pierced by the enemy's darts.

An honest citizen or a true patriot will doubtless begin to shrink from inquiring further into an organization which is so antagonistic to the welfare of his country,

and in order to quiet scruples which may have arisen, the "recruit" is "braced up" by the following, as found on page 9 of the ritual, as a reason why it is

A MILITARY ORGANIZATION.

Lom'o'yret' [military] instead of voc'lo' [civil] form of organization is adopted for the following reasons: We have powerful and bitter enemies to encounter, that

WILL FIGHT US TO THE DEATH.

As disorganized, disunited individuals we are at their mercy; therefore we seek in union and organization a strength that will enable us to cope with them. As the lom'o'yret' represents a more solid and perfect union than the voc'lo', we have adopted that form.

We wish a thousand men to act as one; ten thousand hands to strike together in the advancement of liberty. Then thousand voices to chorus the same truths; that all men are born free and equal. It also typifies to us that glorious struggle of 1776, by which the priceless boon of free institutions was first achieved by the anglo-American continent.

This is not very reassuring, but smacks less of anarchy than what has been previously made known, and explanations are further made to the "recruit" as to why

THE NAME "VIDETTE."

Ov'attad' is appropriate, it being your principal duty to watch with untiring vigilance the movements of the enemy, and, unobserved by him, summon your Nuic'loc' to thwart his aims.

The "recruit" must now prepare himself for the duties which he is to perform, and the reasons therefor. On page 10 of the ritual, we find that the bivouac is

AN ARMED CAMP.

In the bivouac, time is given for council; plans are laid for execution;

FORCES ARE EQUIPPED AND DRILLED

for operation; rest and refreshment is also obtained here. Let us often resort to the biv. [bivouac.]

COMRADE.

Mic'ader' is that strong term so interwoven with all patriotic struggles since the world began, that to hear the name should only be to laud its possessor. Search the pages of history, and note the linking of life to life, the mingling of blood with blood, and the grappling side by side with the enemy in deadly struggles, then measure the responsibility and exalt the name Mic'ader'.

The reader has now gone with the "recruit" until he is "enlisted." We submit to the candid judgment of those who read the above extracts from the "Vidette" ritual if they are not satisfied that this organization is determined to overthrow government, law and society. All that has been told the "recruit" is not in the interest of better government, but he has been informed repeatedly that he must be prepared to overthrow, tear down and eliminate, even to "the mingling of blood with blood" and the grappling side by side with the enemy in deadly struggles."

But if more proof is wanting, your attention is called to the following extracts from the ritual. We find under the head of

DUTIES OF OFFICERS.

The Racoffi' of the yed' (Officer of the Day) shall inspect the Sracoffi (Officers) and Mic'sader' of the Nuic'sloc' at each Vob'secui (Bivouac), and see that each is at his post and arrayed in proper uniform.

The First Uoal'nat'ne' (Lieutenant) shall be Racoffi' of the Yed' (Officer of the Day) when not acting as Pec'noet' (Captain), in which event the Second Uoal'nat'-

the shall be Racoffl' of the Yed'. He shall have charge of the Smre' and Pouqa'-stnam

(ARMS AND EQUIPMENTS)

of the Vob'sceui (Bivouac), and see that the same are kept in good order and are forthcoming when wanted.

WHERE THE MONEY COMES FROM.

The National R. O. and his assistants shall receive for their services fourteen (14) dollars out of the charter fee of each county Nuic'loo' formed by them, and ninety per cent. of the charter fee of each State Nuic'loo' formed by said officer. Railway fare of said R. O. shall be paid while traveling in the interests of the order. In addition said officer shall receive two dollars per day for his expenses.

As law-abiding citizens, we would call your attention to the following, from page 12 of the ritual. Notice the sign and its meaning, a part of which is that "No authority, however sacred, may dare to infringe upon the principles of our duty," thus placing the "Videttes" above all else in our land. Here is the

MEANING OF THE DEATH SIGN.

The three last signs are made thus, (the raising of sword, as if to strike down an enemy,) and typify the solemn oath you have sworn, that as our Pee' (Captain), whom we have vowed implicitly to obey, seemed on the point of betraying the secrets of our order to an unauthorized person, we draw our swords to guard our secrets at the peril of his life and our own; this signifies to us that our principles are paramount to all else, and no person, however beloved—no authority, however sacred—may dare to infringe upon the principles of our order laid down in our constitution, or threaten the mysteries which bind us together. And he, as he holds up his hand, acknowledges his error and your right to stop even your commander in a thing unlawful. He says: "I, too, have taken that solemn oath," and as we drop our swords to the ground we answer, by our actions, that we will keep that oath to the grave, even at the peril of our lives. Mic'ader, may you live to see the last vestige of oppression vanish from this fair land of ours.

On page 22 of the ritual we find that

THE LAWS ARE UNCHANGEABLE.

- Our Declaration of Purposes shall never be changed by amendment or otherwise, and all laws, rules or regulations contrary to the letter and spirit thereof, shall be void.

True to their principle of mystery, on page 23 we find that all correspondents

MUST USE CIPHER.

All secret official correspondence of the order shall be in cipher.

Did no other proof appear, the ceremonies given below would be sufficient to prove the revolting character of this organization:

OPENING CEREMONY.

Captain raps the bivouac to order by 000 raps, and calls to O. D. (officer of the day), "Have you inspected the camp?" O. D.: "I have." Capt.: "Report." "I find all well in the way of arms and equipments and the quarters in good condition; p. (pickets) are stationed at the outer approach to see that none pass without the countersign. Sentinels guard the inner approaches and suffer none to enter except by permission of the Ras'tneag' of the Dreug,' (Sergeant of the Guard). The Ras'tneag, of the Dreug' is convenient to the guard line, and rigidly interrogates all comers. Nag'ra'le Naarg' (General Green) is stationed in the north organizing our forces and drilling recruits in the necessity of obedience and secrecy. Nag' tup,-

nem' (General Putnam) is stationed in the east, preparing to marshal our forces against the usurpers of our natural rights. Nag'niorem' (General Marion) is stationed in the south, prepared by secret works to guard against surprise and circumvent the most artful of our foes."

Cap.: "It is well. See that there no spies or traitors in camp." O. D. takes up the word and reports: "I find none but mic'sader here assembled."

Cap. then says: "mic'sader, for what are we here assembled in biv.?" All answer: "To promote the principles of equality, liberty and fraternity among all mankind." (Kem'gno' aht 'ngos) (making the sign).

Cap.: "I now declare this nuic'loc' open for the transaction of business."

CLOSING CEREMONY.

Cap.: "Mic'sader, how should we herem'?" (March.)

All respond: "Da'nom'rat'ad' it dnaf'ad' our sacred principles and the starc'as of our order. We reaws' till htead'." (Lle, kemgno song.)

Translation—Determined to defend our sacred principles and the secrets of our order, we swear till death. (All making sign.) This sign is to draw the sword from the shield, raising it aloft and bringing it down as if severing a head from the body.)

Cap. says: "Herem."

No further comment upon our part is necessary, we think, to make good and true our charge of anarchy as a principle and anarchists as leaders of this organization. We do not believe that any fair-minded man or woman can read the foregoing and come to any other conclusion than that our premises are correct and our proof complete.

We should be pleased if we could here cease our disclosures, and leave this organization of "Videttes" to die from the effect of the light which has been shed upon it, for we hesitate not to say that Kansas citizens would place their disapprobation and scorn upon it so strongly that it would soon be a thing of the past, to be remembered only as a horrible nightmare, that had been dispelled by the awakening of the people. It has already been charged that the *Courier* was guilty of producing this ritual as a campaign document; that it was an attempt to throw odium upon a few persons in the heat of a political campaign, and that after election nothing more would be heard of it. Well would it be for the citizens of Kansas were this true. Had this organization no other purpose than that of spreading the dismal, horrible and filthy doctrines of anarchy—plain and simple—well might we be satisfied to here drop the subject. But a political party has sprung up in this state, that by sophistry, prejudice, and appeals to personal passion, has secured not a few followers. It is needless to say that we refer to the Union Labor party. Many of our best citizens, numbers of honest men who hate anarchy as strongly as possible, not a few old soldiers, and numerous farmers, have espoused the cause of the Union Labor party and are its champions. And it is to warn these men and women of the trap into which they have been led that we proceed to make our second charge, that the "National Order of Videttes," with all its horrible features, its damnable conspiracies, and its heinous anarchy, absolutely and completely

CONTROLS THE UNION LABOR PARTY.

The U. L. Party.—Bear with us till we revert to the time of the birth of the union labor party, in February, 1887. It was there that the slimy trail of the "Vidette" was first dragged into our fair state. It was in Cincinnati, when the great mass convention was held, that the anarchists of Kansas first learned the mysteries of, and were initiated into this now large organization within the borders of Kansas. It was at this convention that the anarchists conceived the idea of carrying out their nefarious scheme of secretly controlling the movements of a political party; for

political parties, no matter how visionary their plans may be, are accorded a hearing in America, and especially is this true in Kansas; but anarchy is boldly and promptly relegated to oblivion. Thus it was that this growth of moral fungi, grown and reared in the hotbeds of crime in our large eastern cities, was transplanted to the birthplace of freedom—Kansas.

Supplied at first with organizers from the east, a few councils were organized in this state. It was not long until the agitators of Kansas began to take advantage of this secret organization, and a formation of a new political party to spread the "Videttes," and to-day they have from one to nine councils of the "Videttes" in nearly every county in Kansas. The forming of these councils would not necessarily prove that the union labor party was controlled by these men, but the facts show that the anarchistic leaders took the initiative in forming the union labor party, and to day control the action of that party as securely and surely as though every member of the union labor party was bound by the oaths which are administered to the members as "Videttes." We could fill our paper with proof of this one fact alone; but, "out of their own mouths shall they be convicted."

Before the reader is brought face to face with the next production of the "Videttes," it is but proper that we should state that the "13" so often referred to in the "proceedings" as given below, is fictitious, and is used to conceal the real name. Except in the ritual and on the charters, the name "En'niot'le Re'rad Ov'stad" (National Order of Videttes) is never used. In the unwritten work, the instructions are that in conversation, even among members, the organization must be referred to as "The Charitable Thirteen;" hence the term, "Thirteen," as a name. One member meeting another and being unable to attract the attention by the signs, will frequently ask: "Have you ever heard of old man Thirteen?" It will be observed that in the printed proceedings of a three days' session the real name of the organization is not disclosed. The hailing sign of the organization is intended to signify "13," it being made by crossing the index finger of each hand, typify the Roman characters of III; thus, in looking at the hands so placed, you are at once reminded of "13."

To further explain some of the references in the proceedings of the "State Council," we should mention that the national headquarters of the "Videttes" are at Indianapolis, Indiana, and the meetings of the National Council have been held at Cincinnati, Ohio, a day or so preceding each national convention of the Union Labor Party. We here give an extract from instructions sent out from the "National Council Chamber." (The document printed in full would make a column or more):

"HEADQUARTERS

NATIONAL COUNCIL CHAMBERS OF N. O. V.

INDIANAPOLIS, INDIANA.

"*To the N. O. V.:* In the invitation to become a member of this order, you are asked to quit the home of your political childhood, and probably the ideal of your manhood. If a republican, your heart will distend with pride when you contemplate the brilliant victories its generals and statesmen have achieved in the past, both on the field and in the forum. If a democrat, you may probably say that for sixty years your party—uninterrupted—ruled and controlled our government, and during all that time the government was known only by its blessings; that it acquired a vast territory, fought many battles; its statesmen distinguished themselves in the forum and in every place where statesmanship was required. But the proposition that past blessings will not answer for our present wants, is uncontrovertibly vindicated in every phase of human affairs. The republican party emancipated the

colored slaves of the south; we demand real emancipation from every form of captivity.

"Remember that the greatest work to be done for humankind lies before you. There are no precedents for your guidance in the past. You must look to the future for hope, and draw inspiration from the heavens above you and your own instinctive love of liberty. Forget not that the "irrepressible conflict" still goes on.

"Mic'sader (comrades), now that the scales have fallen from your eyes, follow up your search and you will find that you can arrive at but one reasonable conclusion, and that is, that when so long a train of acts, always pointing toward one end and purpose, are seen, that there must exist a system with cunning and determined systemizers behind it, having for its ultimate purpose the overthrow of the republic and the establishment upon its ruins of some form of monarchical government based upon wealth."

This document was sent directly to the head officials in each state of the Union where the organization exists, and as Kansas is marked "gorb'eda 34" (brigade 34)—a brigade comprises a state; regiment, congressional district, and one company, one county, the various councils in each county are known as detachments—it is fair to presume that thirty-four states are organized under this Anarchistic leadership and control. As the reader proceeds he will find, by bearing in mind the above explanation, to what extent the "Videttes" are organized in Kansas. And now for the proof that the Union Labor party and the "National Order of Videttes," with all its turbulent agitators and its law-defying purposes, its meetings in secret places, its soul-harrowing oaths, and its death-dealing proclivities are one and the same thing in Kansas. It will be useless for any member of the Union Labor party, no matter how honest and upright may be his own personal views and character, nor how much he may despise secret political cabals, and how heartily and sincerely he may hate Anarchy and Anarchists, to deny in the face of the following evidence that the "National Order of Videttes" has, and does, guide, control and dictate, not only the policy and platform of the Union Labor party, but that it names its candidates, and lends its aid to only such as are known to be its pliant tools and controlled by its purposes and oaths. To prove all of the above, we herewith present a verbatim copy of the proceedings of the "State Council" held at Yates Centre in March, 1888:

PROCEEDINGS OF THE COUNCIL.

ATETS NUIC'LOC
[State Council]
OF
GORB'EDA 34,
[Brigade 34]
ATETS OF SES'NEK.
[State of Kansas.]

Committee reported favorably on the following credentials, and the Mic'sader (oomrades) presenting the same admitted:

LIST OF DELEGATES.

	<i>Company.</i>	<i>Regiment.</i>	
G. A. Schumaker.....	E,	3,	Girard.
Protus Blume.....	D,	4,	Yates Center.
James P. Sproul.....	G,	2,	Fort Scott.
J. W. Breidenthal.....	E,	3,	Chetopa.
W. M. Goodner.....	H,	7,	Larned.
John Hatton.....	B,	3,	Neodesha.
J. G. Curtis.....	B,	2,	Shawnee.

LIST OF DELEGATES—Concluded.

	<i>Company.</i>	<i>Regiment.</i>	
Mat. Sample.....	D,	2,	Ottawa.
H. P. Campbell.....	E,	2,	Mound City.
C. M. Cline.....	E,	2,	Garnett.
B. V. Carey.....	E,	7,	Wichita.
Chas. Ioas.....	F,	7,	Kingman.
S. R. McCorkell.....	E,	4,	Burlington.
C. N. Nelson.....	C,	7,	Galva.
John Handley.....	H,	4,	Council Grove.
J. W. Eastman.....	A,	4,	Emporia.
C. H. Rogers.....	A,	7,	Hutchison.
Edward S. Moore.....	A,	3,	Winfield.
John F. Young.....	G,	4,	Scranton.
R. Marshall.....	D,	7,	Sun City.
J. J. Campbell.....	D,	4,	Toronto.
A. B. B. Petty.....	D,	4,	Yates Center.
D. J. Clifford.....	A,	1,	Atchison.
Sam. Oberlander.....	E,	3,	Howard.
W. J. Reed.....	E,	3,	Howard.
John Heaston.....	H,	4,	Council Grove.
John Gray.....	G,	4,	Osage City.
Edwin Orr.....	B,	3,	New Albany.
A. M. Stoddard.....	C,	4,	Eureka.
Samuel Nutt.....	B,	7,	South Haven.
E. B. Fonda.....	B,	3,	Neodesha.
E. Thurston.....	E,	3,	Chanute.
T. F. Hannan.....	A,	2,	Kansas City.
A. E. Gibson.....	C,	4,	Fall River.
G. W. Pike, Nat. Recruiting Officer.....			St. Louis, Mo.
C. Vincent, Recruiting Officer.....			Winfield.
F. Murch, Recruiting Officer.....			Yates Center.

Report of de'uj'tnet nag. (adj. gen.) on the condition of the atets nuic'loc (state council), which report was accepted.

Mic'ader (comrade) Heaston made his report as delegate to said N. C. (national council), relating what business had been transacted there, and developing a picture of the general condition of the ri'rad (order), which inspired all the eager listeners with enthusiasm and love for the great work in which we are engaged. The report drew forth a general discussion on the political outlook, and on the best means by which to accomplish our ends. It appeared as the sentiment of the nuic'loc (council) by overwhelming majority that, although the Union Labor party—the party arrayed against the same foes as “13”—must receive the full extent of all our efforts, still it is advisable that “13” should keep in the conventions of all parties, and secure the nomination of mic'sader (comrades).

When such cannot be done, it is best to work for the worst stick the party has, and thus weaken the party, if we cannot make it carry our men unknowingly. An exception to such tactics is the Union Labor party, where it will be our desire to see the best man nominated—even though we may not succeed in every instance to nominate mic'sader (comrades). It is advisable that each nuic'loc (council) adopt any honorable means that might suggest themselves under the circumstances as best adapted to our noble cause.

Bill of Mic'ader Heaston as delegate to N. C. (national council), at St. Louis, was allowed and remitted by H., less \$10, used for the good of the order.

Delegate C. Vincent made his report, full of valuable suggestions, and imparting to every one the necessity to work as untiringly and faithfully in Kansas as had been reported from all over the United States. The next N. C. (national council) will meet on May 15, 1888, at Noc'noc'oten (Cincinnati).

After the remarks by Mic'sader (comrades) Rogers and Goodner, and a touching

appeal by Oberlander to let our every deed and thought be pure, reports from the county nuic'sloc (councils) were called for and responded to by Mic. Vincent, Moore, Nutt, Rogers, Clifford, Ioas, and others. Mic. Vincent described his mode of procedure when organizing new nuic'sloc, which found great approval. Lengthy discussion on condition of things in Reno and Kingman counties, and action of nuic'sloc to bring things in shape. Report of Mic. Carey from Sedgwick county, which looms up with five county nuic'sloc (councils).

Nuic'sloc adjourned till 7:30 p. m.

MARCH 22, 7:30 P. M.

Nuic'sloc called to order. On motion, committees were appointed as follows:

Committee of three on the state of the order; Committee of two on auxiliary printing; committee of three on report of De'uj'tnet Neg. (Adj't. Gen.); committee of three on state charter.

N. R. O. [National Recruiting Officer] George W. Pike made a stirring speech, and exemplified and fully explained the unwritten work. He was followed by Mic. Heaston, who was "loaded for bear," and delivered a fiery speech. G. W. Pike and Heaston held their audience spell-bound until two o'clock, when Nuic'sloc adjourned to meet Friday, March 23, at 10 A. M.

MARCH 23.

Mic. A. E. Gibson being suddenly called home, C. H. Rogers was appointed secretary pro tempore. Nag. (Gen.) Hannon spoke of the existence of a secret order in the interest of monopoly. Mic. Pike was called for, and stated what he knew about such order, which seems to be an enlargement of the "Pinkerton detective system" by the way of a secret order; having lodges with armed members everywhere. We, however, ought to have no fear of such a concern, as we are advocating a just cause. It is recommended to all Mic'sader, if an opportunity offers, to learn as much as possible of the inside workings of the order of these hirelings of iniquity.

Committee on state of order, consisting of Mic's Frank A. Murch, Charles Ioas and W. W. Goodner, submitted the following report:

In general our order is prosperous, and has had unparalleled growth as to time of existence. Many Nuic'sloc are doing grand work, whilst others are not heard from. We believe they are hesitating for want of further instruction. Whilst several Nuic'sloc are not represented at the Atets Nuic'sloc (state council), we think it is rather for the want of funds than for the lack of good material in these Nuic'sloc (councils), or for lack of interest.

Inasmuch as each nuic'sloc (council) is exactly what the members make it, we recommend that the delegates endeavor to inspire their respective nuic'sloc (councils) with the utmost energy, and with the enthusiasm prevalent at the atets nuic'sloc (state council.)

We find that the system of finance of our order, especially in county nuic'sloc (council), needs perfections.

We recommend that at the time of organizing new nuic'sloc (councils), the election of officers, if held at all at that time by the members of the new nuic'sloc (council), be only temporary, and that permanent officers be elected one month thereafter.

Report was received and discussed by Mic's Murch, Pike, Ioas, Goodner, Campbell, Carey, Vincent and Schumacker. Motion to refer the last section of the report to the Committee on Laws, and the rest adopted. Carried.

Committee met in parlor of Central hotel. G. A. Schumacker elected chairman. and C. H. Rogers, secretary. The plan of auxiliary association was read. Mr. Moore stated that it was desired to organize this association with a capital of

\$10,000. Mic. Moore read what had already been done in the matter. Remarks were made by Mic. Heaston, stating that such an enterprise is already started at a meeting held in Topeka. Mic. Rogers made some remarks. Mic. Moore further explained. Remarks were made by Mic. Heaston, who offered to donate a two-horse engine and assist in furnishing a press. He was followed by Semple. Moved and seconded that the proposition of the Vincent Bros. be accepted, and we assist in pushing the enterprise, which was discussed by Heaston, Blume, Moore, Semple, and unanimously carried.

It was moved and seconded that mic'sader here assembled, be urged to subscribe all they can at once, to be paid when 600 shares are subscribed. Adjourned.

The foregoing report of committee on auxiliary printing was presented and accepted.

The following report of the committee on resolutions was presented and discussed by Mic's Murch, Goodner, Rogers, Nelson, Clifford, Vincent, Campbell, Briedenthal and Heaston, and a motion to amend the original caption of article 1 being carried, the report was adopted by nuic'loc (council) as amended.

Member of committee, Mic. Clifford. The report of this committee as amended and adopted is as follows:

Be it Resolved, That we heartily endorse the entire Union Labor National platform of February 22d, 1887, and recommend that no material change be made at present either in the platform or the name of the party.

2. That we recommend that the N. C. (national council) take such steps in regard to the appointment of organizers as will protect the organization from the mistakes too often made in such organizations in the admission of unworthy persons.

3. That we urge upon all mic'sader the necessity of a thorough organization of the Union Labor party in every county in the state, and oppose any fusion or combination of the U. L. party with either of the old parties. And we would further urge upon all mic'sader the importance of every Union Labor man attending all conventions of the party held in their counties or districts. The good effects of a large convention cannot be over-estimated.

4. That we urge upon the state organizers that they use the utmost care and precaution in the organization of county nuic'sloc (councils). Let none but true patriots be admitted.

Nuic'loc adjourned until 1:20 P. M.

MARCH 23, 1:20 P. M.

Opened at 1:30 o'clock by proclamation, and proceeded at once to business. The following resolution concerning the death of Mic'ader Gordon was adopted:

Resolved, That we extend to the Mic'sader (comrades) of Mic'nep'y (company) H, of Columbus, Kansas, our heartfelt sympathy in the loss they have sustained in the death of Mic'ader Gordon, at the hands of an assassin, and assure them of the hearty support of this Order in bringing the guilty parties to justice.

Nag. (Gen.) Hannan referred to a Mic'ader (editor) who was soon to be tried at Topeka. Means and ways discussed by which the Mic'ader can receive a practical expression of our sympathy and our effective cooperation. Remarks by Clifford, Ioas, Vines and others. Committee on recommendations (and laws), consisting of Mic'sader J. W. Eastman and B. V. Carey, submitted the following report, which was adopted after discussion:

We, your committee on the report of the De'uj'tnat (Adj't.) of gorb'ade (brigade), beg leave to submit the following, and recommend its adoption:

1. That all county Nuic'sloc be called together at the first meeting of each quarter, beginning with April, for the purpose of discussing questions of importance that may arise for the better organization of the county, and the payment of dues and making of reports.

2. That the term of office of the officers of new county and township Nuic'sloc (councils) shall not exceed one month, or until their successors are duly qualified; and, therefore, all officers shall be elected at the first regular meeting in April and October.

3. That the Mic'nem'gnod Nag'lara (Commanding General) furnish such County Nuic'sloc as are in good standing, a new password every Reuq'rat (quarter). Signed. Committee on State Charter submitted the following report:

Resolved, That we recommend the purchase of the State charter, and that an order be drawn for the same. If sufficient money be not in the treasury, that such representatives as desire, may advance money enough to make up the deficiency, which shall be credited on the ensuing accounts of their respective Nuic'sloc.

On motion, it was ordered that an order for \$20 be drawn on the treasurer in favor of Mic. Pike, to apply on charter. A recruit being in waiting, on motion of Mic'ader Pike was invited to personate all the offices in initiation, and accordingly Morris Rashburn was initiated in due form, and became a Mic'ader in -D-4-34-1-. While this Mic. was being prepared for initiation, the following Mic'saders paid the amounts opposite their names to apply on state charter, and to be credited on the account of their respective Nuic'sloc:

J. G. Curtis.....	Johnson county,	\$1 00
Charles Ioas.....	Kingman county,	1 00
John Heaston.....	Morris county,	2 00
Mat. Semple.....	Franklin county,	1 00
E. B. Fonda.....	Wilson county,	1 50
E. N. Clure.....	Anderson county,	1 00
H. P. Campbell.....	Linn county,	1 00
E. S. Moore.....	Cowley county,	1 00
J. W. Briedenthal.....	Labette county,	6 00
T. F. Hannan.....	Wyandotte county,	1 00
D. S. Clifford.....	Atchison county,	1 00
S. R. McCorkle.....	Coffey county,	1 00
F. Van Rosmalen.....	Wilson county,	1 00
J. P. Sproul.....	Bourbon county,	1 00
C. Vincent.....	Cowley county,	2 00
— Gray.....	Osage county,	1 00

Following the initiation, Mic'ader Heaston spoke of the state organization, and moved that Mic'ader Murch be made the state Ri'neg'zo'ra (organizer) for Nek'ses (Kansas.) Seconded by Ioas. After considerable discussion the motion was carried, and Mic. Pike requested to appoint Mic. Murch to the position in compliance with the motion.

On motion, Mic'ader T. F. Hannan and L. Vincent were elected as representatives of the State Nuic'loc to the N. Nuic'loc (National Council), to be held at Cincinnati sometime in May.

Motion that the expenses of the delegates and national officer be paid to N. C., at Cincinnati, by the S. C. (State Council), and that funds be raised therefor. Carried.

Moved that a special assessment of twenty-five cents on each member be levied to defray the above expenses, and that such assessment be general over the state, and be due to Atets' Adj. (State Adjutant) A. E. Gibson, immediately on receipt of this report. Carried.

On motion carried, Mic'sader C. Vincent, Cary, Briedenthal and Semple were also made delegates, to be ready for a possible contingency.

It was moved and carried, that in elections of union labor party, members of "13" be elected delegates to conventions.

On motion, the following resolution was adopted :

The Pec'noets (legal voters) are instructed to prepare memorandum books llip

skiib (poll books) of all al'leg tiv'sra (electors) in each township, and keep the same in readiness for committees that shall want them.

Moved that it is the sense of this Atets Nuic'loc (State Council) that every effort be made at every state, county and district convention, that as many members of "13" and of the union labor party as possible turn out and make and stir up enthusiasm worthy of our noble cause.

Motion carried unanimously.

Mic. Pike made remarks concerning the necessity of always having good news.

Moved and carried, that a concise report of the proceedings of the Atets Nuic'loc be furnished to all county Nuic'slocs and ad'hcet'stnam (detachments).

On motion, De'uj'tnet (Adjutant) instructed to send the pamphlet from Winfield through the Pacific Express office.

Moved, and motion carried, that it be the sense of this Nuic'loc that, where a necessity exists for so doing, women are considered eligible to this order.

Nuic'loc adjourned until 7:30 P. M.

EVENING SESSION.

Nuic'loc opened in due form.

It was suggested that the members of the second and seventh congressional districts remain for special conference after the close of the session. The representative members from these districts complied.

On motion, it was declared the sense of this S. C. (State Council) that in all political work we must work in unison.

Mic. Heaston addressed the meeting. Felt gratified for the light that was being received in Kansas; moralized upon the probability of more or less mistakes, but, being careful to avoid them, we must march with measured tread in solid phalanx. He made a touching appeal on behalf of the mortgage-ridden people of Kansas and the whole United States. All things point towards a firm intent of the money power to take advantage of the helplessness of the people and inaugurate a crisis unheard of in history. Compare the cause and effect of their secret order of Pinkerton hounds. Is this not an unmistakable sign that they are getting ready for such a crisis? We must win soon, or we are too late.

Mic. Campbell followed in eloquent words apoken of our American liberty, and its oppression from without and within. To-day we are bound by chains more ruthless than those which bound the dusky sons of Africa. We must arouse, and maintain our chartered rights.

Bill for \$2 presented by A. E. Gibson. Allowed.

Collection taken for hall rent — \$4.45.

Mic. Moore presented the matter of the Auxiliary Printing Association, and solicited stock subscriptions.

Motion carried that an order for \$35 be drawn on the Treasurer, to be paid to Mic. Pike for state charter, being payment in full therefor.

Mic. Heaston presented the auxiliary-press matter again, with a subscription of forty shares, and announced that over 500 shares were already taken. He exhorted Mic'sader to simply do their duty, and this enterprise will surely succeed.

The matter of the union labor state convention was discussed at great length.

Moved, and motion carried, that C. B. Hoffman and J. W. Briedenthal be appointed as delegates at large to the N. C. (national council) and U. L. (union labor) conventions.

Carried that the different Gar'o'stnam (regiments) corresponding to the congressional districts, meet at the same time and place that the district conventions meet.

Upon motion, discussed at length and carried, it was decided that the state con-

ventions of the union labor party be held at Wichita, between the 22d and 30th of August, 1888.

Moved and carried, that the next meeting of the Atets Nuic'loc (state council) be held at Wichita one or two days preceeding the state convention of the U. L. (union labor) party.

Moved and carried, that a vote of thanks be given to the good Mic'sader of Satey Nac'rat (Yates Center) for the kindly consideration with which they have entertained us during the Nuic'loc.

Moved, that if it be the sentiment of this Nuic'loc that if a candidate for governor be nominated by the U. L. (union labor) party, Mic. Daorb'na'leht (Briedenthal) be our choice. Motion carried.

Moved, and motion carried, that a vote of thanks be given to Mic's Murch and Vincent in recognition of their eminent and faithful services.

Moved that Mic'ader Ioas be appointed to prepare a report of the proceedings of this Nuic'loc for the press. Carried.

Nuic'loc adjourned.

TO EVERY PIC'NOET — (Captain.)

Owing to the lateness of the hour, you are instructed to attend to the assessment of 25 cents on each member, as authorized by the S. C. (State Council), to defray the expenses of delegates and national officer to Cincinnati. Returns should be made by May 9th, at the latest, to allow delegates to start by the 11th or 12th. Attend to this matter at once, and remit by money order to

A. E. GIBSON, *State Adj.*,
Fall River, Kas.

The above "proceedings" close with a print of the seal as given in the *fac-simile* letter.

Let every honest member of the Union Labor party read the above carefully, and note the programme laid down, and the recommendations made. Note, further, that every single thing they decided should be done by the Union Labor party has been done with a single exception—the nomination of Briedenthal for governor, and we will show later why Briedenthal was not nominated for governor—he is their candidate for U. S. senator.

Remember the fact that the leaders of the "Videttes" in this "State Council," are to-day the leaders of the Union Labor Party. The chief and leading newspaper of the Union Labor Party to-day in Kansas, is the *Non-Conformist*, run by the Vincents, and we find these same Vincents being sent to Cincinnati as delegates to the "National" or "Superior Council." But "13" is not satisfied with controlling one newspaper, it must increase its power of the press, so here at its secret meeting they hatch the scheme of an "auxiliary" printing establishment, and put the Vincents at its head. The amount of stock to be issued was placed at \$10,000, and to-day you will find on the State records of Kansas the organization of this company, and this amount as the capital stock. It was a smooth scheme to teach anarchy at the expense of honest political reformers, and it has been well worked; but we opine that, now its true character and purposes are known, the sturdy integrity of the Union Labor Party will treat it as all anarchy, in whatever form, should be treated.

The date of the State convention was so fixed, and the convention was held at the time and place dictated by the "Videttes."

The "editors" who were proposed to be helped, judging from the court records, were Messrs. Harmon and Walter, editors and publishers of the Valley Falls *Lucifer* and *Fair Play*; two of the most out-spoken anarchistic and free-love papers in the

United States. Both were, and are yet, under indictment before the United States court for sending obscene matter through the mails, and strange as it may seem, by some power—who shall say it is not the power of "13"?—these men are not yet tried, and their papers are still preaching anarchy and free-love.

The urging of action and the sentiment expressed in the "fiery speeches" need no comment from us—they speak for themselves. We wish to call attention, however, to one more feature of the program, and that is this:

"Moved, and carried, that the next meeting of the Atets Nuic'loc (State Council) be held at Wichita one or two days preceding the State convention of the U. L. (union labor) party."

Did we desire, we could here give the proceedings of the State Council, which was held at Wichita, per order of "Thirteen;" but they are very lengthy, and the proceedings of the State convention of the union labor party are but a repetition of the proceedings of the "State Council." We present, however, the undeniable proof, in the fac-simile letter which is found on this page, that the "State Council" was held at Wichita, at the date and place decided upon, and that the orders were imperative for attendance. The letter, translated into readable English, is as follows;

NATIONAL ORDER VIDETTES,
OFFICE OF ADJUTANT, BRIGADE 34.
NEW ALBANY, KANSAS, August 24, 1888.

Comrade ———: You will notify your Delegate that is to attend the State Council to be held at Wichita, August 27, at 10 A. M., to report for duty at 117 N. Market street, in hall. Also bring credentials.

Respectfully, E. D. ORR.

This letter is particularly interesting, as it bears the seal of the "inner council," the official title of the officer sending it, and the name and place of residence of the second highest officer in Kansas. It will also show to the "videttes" that we know what we are talking about. But we will give a brief synopsis of the proceedings at Wichita, in so far as they relate to the Union Labor party.

WICHITA, KANSAS, August 27, 1888.

State Nuic'loc called to order by Nag. (Gen.) Mic. T. F. Hannan.

Mic'ader Edwin Orr made adj. nag. (gen.), Mic. Gibson having left the state.

[Here follows the appointment of committees on credentials, reports, etc. The first report made was that of the committee on credentials. This report has no names of the participants, but discloses the fact that 106 delegates and 33 "comrades who were not delegates" were present, and that the following counties were represented:]

	No. of comrades.		No. of comrades.
Allen.....	2	Davis	2
Comanche.....	2	Wilson	2
Stafford.....	1	Woodson	1
Barber.....	2	Wyandotte	1
Crawford.....	1	Dickinson	1
Smith.....	2	Marion.....	1
Sumner.....	3	Elk.....	2
Cloud.....	2	McPherson.....	2
Cowley.....	4	Ford.....	1
Atchison.....	3	Lyon.....	2
Clay.....	2	Franklin.....	2
Brown.....	1	Linn.....	2
Butler.....	2	Shawnee.....	2
Cherokee.....	2	Leavenworth.....	2
Chase.....	2	Greenwood.....	2
Nemaha.....	1	Pottawatomie.....	1
Phillips.....	2	Ottawa.....	2
Coffey.....	3	Bourbon.....	1

H



Me

Your &
Attorney
& Co.
Aug 27
Duty
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a

	<i>No. of comrades.</i>		<i>No. of comrades.</i>
Douglas.....	2	Rooks.....	2
Labette.....	4	Montgomery.....	2
Johnson.....	2	Riley.....	2
Kingman.....	1	Morris.....	2
Jewell.....	2	Rice.....	1
Marshall.....	3	Anderson.....	1
Sedgwick.....	3	Osage.....	3
Miami.....	2	Lane.....	2
Saline.....	1	Seward.....	4
Mitchell.....	1		

Thirty-three comrades, who are vouched for, and who have the countersign, are here, and it is recommended that they be allowed seats in the nuic'loc. Report favorably received, and delegates and mic'sader seated.

Nothing further occurs concerning the Union Labor party until the evening session, when the report shows:

Mic. Snider, from committee on platform, reported that the committee were now ready to submit platform.

A synopsis of the report then shows that a heated discussion occurred, some of the most fair-minded men declaring that the union labor convention, which met the next day, should have something to say about the platform. The matter was finally settled by the adoption of the committee report, and at the suggestion of Mic. Utley it was decided to allow all who so desired to submit resolutions to the platform committee of the union labor convention, and that Mic. Snider should see to it that the platform, as adopted by "Thirteen," was not changed in meaning, though if any outsider insisted too stenuously the verbiage might be changed.

The nomination of a ticket was next in order, and as per the resolution of the "State Council" at Yates Center, Mic. Breidenthal was placed in nomination for Governor. A messenger from Mr. Breidenthal's headquarters then stated that Mr. Breidenthal desired a complimentary vote in the convention and would then withdraw his name. As a reason for this it was stated that so great had been the growth of "Thirteen" and the union labor party, it was quite probable that by sacrificing everything on the State ticket for legislators, and effecting a combination of all the opposition elements in the Kansas legislature, "13" could control the election of the next U. S. Senator, and Breidenthal was wanted for that place. This was received with great applause, and the State ticket of the union labor party as it now is, with one exception, was nominated, care being taken that "comrades" were generally selected. All the officers of the "Thirteen" were reelected, and plans were formed to take advantage of the coming political campaign to spread the doctrines and increase the membership of the order.

Such, briefly told, is the proceedings of the conspirators, who, on August 27, in secret conclave assembled, did the work that on August 28 was ratified by the union labor party of Kansas, laboring under the supposition that they, as a political party, were exercising the rights and duties of American citizens in a convention of the people. It will be remembered that the union labor convention had 257 votes on its highest count; the "Videttes" had control by an oath of 139 of those votes. The most stupid union labor devotee can readily see that the convention which adopted the present state platform, and nominated the present state union labor ticket, was not a convention of any party, but was doing the bidding of a secret, oath-bound, anarchist organization. What a farce and travesty on justice, that these men should thus cheat and deceive honest farmers and mechanics, and cause them to spend time and money in order to forward the aims and objects of an-

archy. It certainly is fortunate that their plans are made known at this time, when it is not yet too late to rebuke them for the indignities which they have heaped upon the heads of the union labor party followers. Of what use is it for the union labor party to attempt political reforms, when every act and effort for advancement is controlled and handicapped by men who boldly declare that--

"It is advisable that '13' should keep in the convention of all parties, and secure the nomination of Mic'sader (comrades). Where such cannot be done, it is best to work for the worst stick the party has, and thus weaken the party."

It must not be forgotten that out of 257 delegates in the Union Labor State Convention, 139, or a safe majority, were under the absolute dictatorship of these conspirators. We would respectfully ask, for what use or what purpose did the 118 straight Union Labor delegates serve in the convention, other than to advance the interests and aims of anarchy? Many of these 118 came from a long distance and at a great expense, only to be the unconscious dupes of anarchistic conspirators. Is there an honest man whose honor will not revolt at such doings? Among all the charges that have been brought against the older political parties, we challenge one that for disgusting and damnable feature equals this. Since the days of Know-Nothingism and the Knights of the Golden Circle, secret political organizations have merited and received the condemnation of all good citizens. But these organizations were honorable when compared with this order of "videttes."

We think that we can leave our second proposition, viz., that the Union Labor party is controlled by the "videttes," safe in the belief that we have fully established our charge, and feeling confident that the citizens of Kansas who have been inveigled into this party under the belief that the Union Labor party is in the interest of reform and honest government, will act and vote in a way that will forever blast the hopes and defeat the purposes of the dishonorable, illegal, and anarchy-promoting "videttes." For what shall it benefit honest men and women to labor and sacrifice, that a new political party may be built up, when the avowed object of its leaders is anarchy? If the Union Labor party, as is claimed, have 30,000, 40,000 or 100,000 adherents in this state, so much the worse for the adherents and the state; for of no avail are legitimate purposes, good principles, or needed reforms when every atom of power secured by the party is only to be a tool that shall, according to instructions for the "National Council Chamber of the N. O. V.,"

"OVERTHROW THE REPUBLIC,"

Even in it be necessary, in the language of the ritual, for the "mingling of blood with blood, and the grappling side by side with the enemy in deadly struggles." And to accomplish this bloody revolution the "Videttes" give as a guide "The celebrated Macedonian phalanx that marched as one body, fought as one body, and its ranks were unbroken."

TREASONABLE UTTERANCES—TREASON.

Under this head we have need to say nothing ourselves, for the utterances from the authenticated documents of the "Videttes" are sufficient evidence, and we will simply give a few extracts, and let each reader judge for himself whether or not treason to God, man and government is not to be found in purpose, practice and principle of this organization which has fastened its poisoning fangs on a political party in fifty-four counties in Kansas, and controls the destiny of what is claimed by its members to be the "reform party of the nation."

A citizen's first duty is to his country, but the "Vidette" owes no allegiance to America, for he swears—

"That I will always implicitly obey the orders of this council and the officers thereof."

And again the "Vidette" shows his contempt for our beloved institutions when he is instructed—

"That our principles are paramount to all else, and no person, however beloved, no authority, however sacred, may dare to infringe upon the principles of our order . . . or threaten the mysteries which bind us together."

A "Vidette" is then instructed that—

"Our cause must not be imperiled by a moment's disobedience."

"Our cause" is then explained to be, not the good of America or American institutions, but—

"It is the cause of universal humanity. The blood of thousands of martyred patriots from Tiberius and Caius Gracchus to the last soldier who died . . . calls upon us to fight like soldiers while you feel like freemen."

Further on in the same paragraph of instructions, "universal humanity" is defined to evidently mean "capital," for it says:

"Capital controls the arteries of commerce, and cuts off its life-blood at its own pleasure, and the sun of liberty shines dimly upon a nation of pale wretches, who shiver in the wintry blasts of poverty . . . and the people wring their hands in despair at their own impotency."

On the next page of the ritual the "vidette" is told:

"The enemy, for long years, has worked in secret and fattened upon our substance until he is so strong he need only know our position to beat us to the earth. . . . The day of liberty is growing dark, Mic'ader, (comrade); the eyes of the world are upon us; they claim we are on probation to fail. . . . As disorganized, disunited individuals, we are at their mercy; therefore, we seek in union and organization a strength that will enable us to cope with them."

Let it be admitted that organization is necessary to cope with the evils that may arise, or have arisen, through greed or avarice; that reform political parties are necessary, yet all good citizens will maintain that such organizations and political parties should accomplish their purposes through the ballot—the great weapon of freemen. But how do the "Videttes" propose to remedy what they find wrong? Let us refer to the ritual, and make a few quotations:

Page 5: "I surrender my body to the just vengeance of my comrades, and I invoke upon myself the curses of the Supreme Ruler of the universe, and the universal detestation of mankind."

Page 7: "Our last, our only remedy, is the united efforts of all. . . . Unity of action was so perfect in the celebrated Macedonian Phalanx that it marched as one body, charged as one body, fought as one body, and its ranks were not broken for generations. Let our union typify such a Phalanx; let foot keep step with foot in our march upon the enemies of humanity; let hand strike with hand in the battle of human rights, and heart beat responsive to heart."

Page 9: "We wish a thousand men to act as one, ten thousand hands to strike together. . . . Typify that glorious struggle of 1776, by which the priceless boon . . . was first achieved for the Anglo American continent. . . . In Bivouac, time is given for counsel, plans are laid for execution, forces are equipped and drilled for operation; rest and refreshment is also attained here. Let us often resort to the Bivouac."

Page 10: "Note the linking of life to life, the mingling of blood with blood, and the grappling, side by side, with the enemy in deadly struggles. . . . That emblem [1776] which calls to mind the great and glorious achievements of that time. . . . Gaze again, . . . and be strengthened in your duty."

Page 12: "Our hands are shackled with irons, our bodies with triple cords. By one united effort we burst the shackles asunder, and strip the bonds from our bodies. . . . We draw our swords to guard our secrets, at the peril of his life and our own."

Page 13: "Nag'ra'le Naarg is stationed in the North, organizing our forces and drilling recruits in the necessity of obedience and secrecy. Nag' Tup'men is stationed in the East, prepared to marshal our forces against the usurpers of our national rights. Nag' Niorem is stationed in the South, prepared by secret work to guard against surprises, and to circumvent the most artful of our foes."

Page 18: "Second Naol'nat'tne. He shall have charge of the smre and pouqa'-stuum [arms and equipments]."

Page 25: "Determined to defend our sacred principles and the secrets of our order, we swear till death."

The *Courier* now leaves the charge of treason, as it commenced it, to the verdict of the reader, who may say, that when we made good the indictment of anarchy we also proved the treason — and quite right we would be; hence we will give no more space to this phase of the disclosure. It is but proper that we should add, however, that but a portion of our evidence is here given. Want of space, respect and esteem for some of the men who have been blindly led into this organization, urge us to cease further portrayal of this hideous thing which has grown up in our midst.

In conclusion, we wish to state that we have given the foregoing facts unmoved by fear, unprejudiced by political or personal motives. Indeed, we deem this matter of too much importance, fraught with too serious results, if allowed to continue, threatening interests and sacred ties too seriously for any personal or political ambitions to be the actuating motive that should and will bring about its annihilation. Men and women of all political parties, of all churches, and lovers of fair play are appealed to by the common danger with which this hydra-headed monster of anarchy threatens us. It cannot be doubted that the honest men of the Union Labor party are the ones who can do the most valiant service in wiping from Kansas the "videtts." It is plain that the "videtts" have, with devilish skill and diabolical purpose, seized upon the agitation made possible by the campaign of the Union Labor party to propagate their doctrine and carry out their determination to gain control of the reins of government. The Union Labor party has been the especial child of their care, and upon it they have inflicted the worst outrages of subordinating American politics to dynamite anarchy. And any man who upholds or votes for a Union Labor candidate can readily see that he is but putting himself still further in the power of these men who, in darkness and secrecy, have thus far controlled and directed the Union Labor party in the state and nation. We say now, as we have said often before, that the rank and file of the Union Labor party were generally honest men, but the leaders were unworthy of confidence. Depending upon the truth of this belief, we fear not but the honest men will rebuke this hot-bed of anarchy as is befitting it. It will be to no purpose to claim that the other parties are not to your liking. Their mistakes and misdeeds, be they great or small, cannot be compared, for iniquity and revolting principles, to the organization of "Videtts." We have here to deal with more than political preferment, party prejudice or personal preferences. If this organization can, by the votes of Union Labor men, succeed ever so slightly in getting its hand upon the reins of our government, can you doubt the result? Would you wish to place in power the Anarchists of Chicago? Do you desire to see the stars and stripes supplanted with the red flag of Anarchy? If not, your duty is plain. Vote for that party whose policy and nominees are not

controlled by the agents of Anarchy. Kansas has struggled and maintained freedom for man and ballot; homes were made desolate by the effort; lives were lost to suppress slavery; wives, mothers and children were bereft of their husbands, sons and fathers, to make Kansas what she is, and her institutions the greatest in the land. She is now confronted by a foe more subtle, more degrading, more dangerous, and more fierce than were the foes of former times. These men seek by a corruption of our most sacred right—the right of suffrage—to do what they are yet too weak and cowardly to do in open warfare. It is for the men of Kansas—and particularly those of the union labor party,—to stamp out, now and forever, this criminal interference by secret and oath-protected anarchy, the blot that has been made upon our fair state, by the settling within our borders, of this vulture of foreign origin, known as the “National Order of Videtts,” whose breath is poison, whose beak seeks blood, that its body may fatten on the victims to greed, satiated by the honest toil and intelligence of those who love their country and their state.

NO COLORED MAN NEED APPLY.

Mic'der'pohs (comradeship).

“No one shall be eligible to Mic'der'pohs (comradeship) in this order who is not a *white person of superior intelligence*, true and faithful, and devoted to the principles, and whose wealth exceeds \$100,000, and who does not believe in a Supreme Being.” (Ritual.)

We hear of a few colored voters who have been led astray by the union labor heresies, but when they discover that they are really prohibited, as a race, from membership in the order which controls that party, they will hardly cast many votes in that direction. It is flattery, however, to their patriotism, that they would not be safe members of such an anarchistic organization.

KEY.

The words in the foregoing, printed in cipher, are interpreted by the following key: Begin at the first apostrophe in each line and read backward. Whenever the letter “I” occurs, read it “O;” whenever “E” occurs, read it “A;” whenever “O” occurs, read it “I;” whenever “A” occurs, read it “E.” Read all other letters as they occur. Then begin at the second apostrophe from the left-hand end of each line and read in the same way, then at the third apostrophe, and so on.

(Part of Mr. Greer's testimony.)

By Judge Webb: Q. Mr. Greer, when did you say this came into your possession? [showing witness exhibit 9.] A. I first saw that about the 17th of October—let me correct myself; this first came into my possession with this letter of the 25th, from Mr. Hutchins, he inclosed that.

Q. State whether it was in the same condition that it is now. A. Yes, sir.

Q. Had you seen it before that time? A. I think I saw it. I am not certain whether I saw it on the 12th, when I was up here or not. I think I did.

Q. Did you see it at the time the name of the person to whom it was addressed was in it? A. No, sir.

Q. You received it from Mr. Hutchins? A. Yes, sir.

Q. Did he tell you where he got it? A. He did not.

Q. Did he tell you at any time? A. I asked him where he got it and he said he found it.

Q. Was that all the information he gave you? A. Yes, sir.

Q. Do you know to whom that paper was addressed? A. I do not.

Q. The name of the person that has been taken out of it? A. I do not.

Q. You say that Mr. Poorman talked to you frequently with reference to his ability to furnish you evidence of the existence of the revolutionary organization as he called it, before you listened to him with any favor? A. Yes, sir.

Q. And after referring him to the chairman of your county republican committee you contributed \$2 50 towards bearing his expenses and going after the proof? A. Yes, sir.

Q. Where did he have to go? A. He told me he would have to go to South Haven to join the order.

Q. Is that some town in your county? A. It is in Sumner county, our county on the west.

Q. Do you remember the time Mr. Greer when you arranged with him to furnish the evidence, that is when you gave him the \$2.50? A. I cannot fix that date, I don't know.

Q. Do you remember how long after you had so arranged with him it was that he furnished you the ritual? A. I think he was gone four or five days.

Q. Now do you remember at what time you received the ritual? A. No sir, I can not place that date.

Q. It was published I think you said on the 4th of October? A. Yes, sir.

Q. So that it must have been in your possession some time before? A. My remembrance is that I had it set up very rapidly, put on quite a large force, and published it very soon after it came into my possession.

Q. So that not being willing to state the precise date you received it, you would be willing to say you received it on the first day of October? A. Yes, sir, I think so; I think I must have received it about the first. Now I remember, I think that I was a day or two figuring out the cipher before we got to work on the book.

Q. Did you strike somebody who was familiar with the cipher, or did you discover it by diligent effort and perseverance? A. By dint of perseverance.

Q. Did Poorman tell you where he procured the ritual? A. He told me two stories about it; first he said he had been over in Barber county and got it—no, he did not say he got it there, but said he was in Barber county; said he got some information in Barber county and then came to Sumner county, and refused to say at which place he got the book.

Q. Well, then, in fact he did not tell you where he procured it? A. No, sir; he did not.

Q. In answer to Mr. Dawes—you also said it while I was examining you—that after the publication of the ritual which occurred the 4th of October, that the Vincents denied the existence of the order of the Videttes? A. Yes, sir.

Q. Now then, was that denied by them orally or was it denied by some article published in their paper? A. Well, the most positive or specific denial of that occurred at a public meeting in Winfield, in which Professor Vincent and Col. Henderson were discussing the issues of the day.

Q. Do you remember the date of that meeting Mr. Greer? A. No, sir; I can't remember that day.

Q. Well, have you some memorandum by which you can fix the date? A. I have no memorandum.

Q. Let me ask you if it was not a meeting which was being held for the purpose of a joint discussion? A. Yes, sir.

Q. And there were two nights devoted to it? A. Yes, sir.

Q. They were the nights of the 6th and 8th days of October? A. I think so.

Q. Now you say that was the most conspicuous denial—that is the denial you had in mind when you said they denied it? A. That is the one.

Q. Who made the denial there? A. Professor Vincent.

Q. Did he deny there was an order in existence known as the Videttes or did he deny that it was an order of the character that you had attributed to it? A. He said in that meeting that if there was such an order he knew nothing of it.

Q. Is that all the denial he made? A. He further attempted to show that if there was such an order it was not a very dangerous one.

Q. Did Professor Vincent deny the existence of an order called Videttes; did he say there was no such order, no order of that name? A. I have the impression that he did, but I can't remember the exact words.

Q. But you do remember that he said, "If there is such an order I do not know anything about it"? A. Yes, sir.

Q. Now I ask you if he was a member of that order? A. Yes, sir; he was.

Q. You are not a member yourself? A. No, sir.

Q. You are master of some of its secret work, are you? A. I am master of some of the minutes of its meetings.

Q. Are you sufficiently intimate with its work to enable you to attend one of its meetings or lodges? A. I believe that at one time I was possessed of sufficient information.

Q. You never tried it? A. No, sir?

Q. You had got into your possession one of the records of the proceedings of one of that order's meetings? A. Yes, sir.

Q. You have it here now? A. Yes, sir.

Q. Will you let me see it?

[Witness here hands counsel a paper]

Q. Where did you get this? A. Got that from Mr. Hutchins also.

Q. At the same time you procured exhibit nine? A. I got that before, I think.

The Committee adjourned to meet Friday morning at ten o'clock.

FRIDAY, February 27th, 10 o'clock A. M., 1891.

The Committee convened; all the members present.

Senator Kimball moved that the stenographer be authorized to employ such assistance as she may deem necessary in taking and transcribing testimony for this Committee, the expense not to exceed what it would be if Mrs. Smith did the work herself, provided, that her action in this matter should be subject to the approval of the Committee. The motion prevailed.

The witness M. McEnery, of Coffeyville, was excused by the Committee. The Committee thereupon proceeded with the further taking of testimony.

Mr. Greer further testified as follows: (Examined by Judge Webb.)

Q. Mr. Greer, I think you said the first meeting you had with Mr. Henrie was the one mentioned by you as having taken place in your office? A. Yes, sir.

Q. I understand you to say that after you left your office, leaving him there, the next time you saw him was upon the occasion of your visit to this city, when you saw him at the Windsor Hotel? A. Yes, sir.

Q. Now, I want to ask you if upon the night of the day upon which you were home at your office, if you did not see him at the Santa Fé depot in your city? A. I did not.

Q. Were you in conversation with him there at the depot upon the night of the day he had visited your office? A. No, sir, I was not.

Q. One other feature of your testimony to which your attention has already been directed, I wish again to mention, and ask you if you can repeat the language of

Professor Vincent in which he denied the existence of the organization known as videttes? I want you to use his words embracing that denial. A. I do not believe I can give his words.

Q. Give them as nearly as you can and substantially as they were? A. Replying to the charge of Mr. Henderson, respecting his connection with the videttes, he said he had no knowledge of any secret revolutionary organization, such as described by Mr. Henderson, and that he was not a participant in any such organization for revolutionary purposes; and that is the substance of his reply to Mr. Henderson as near as I can remember it.

Q. You, yourself, understood that he was denying the character of the organization and not the existence of it? A. I at that time understood that he was denying the existence of any such organization so far as his knowledge went.

Q. He denied the existence of an organization for the purposes which were suggested? A. Yes, sir, that was the substance of his denial.

Q. He did not deny the existence of the organization denominated the Vidette's? A. No, sir; I do not believe he made that denial.

By Mr. Curtis:

Q. In your testimony you stated that by perseverance you discovered the key to this secret work you published? A. Yes, sir.

Q. I will ask you to state, if that key is published in the newspaper article introduced in evidence before the committee? A. I do not remember whether it is or not.

Q. Did you publish the key? A. I think I explained it in brackets, such parts of it as were necessary.

Q. You said on direct examination that you had received three letters from Mr. Poorman. Will you please produce these letters, if you now have them, in the order in which they were issued?

[Here witness produces letters.]

Q. I will ask you to state if this is the envelope and letter you received in it. A. This is the first letter that I received from Mr. Poorman after he left Kansas.

[Here letter and envelope were identified and offered in evidence before the Committee, and marked exhibits 25 and 26].

Q. I will ask you to state if that was received by you through the mail, and if that letter dated October 22d, was received in the envelope dated Bellaire, October 22d? A. Yes, sir. [Here witness produces the next letter]. This is the next letter I received from Mr. Poorman.

Q. Was anything with it? A. This was with it. [Handing paper to Council].

Q. What is this? A. An affidavit of Mr. Poorman.

[The affidavit was marked exhibit 25, and the letter exhibit 26].

Q. Now what was the next that you received? A. This is the next. [Handing paper to Council].

Q. This is the third letter? A. Yes, sir.

Q. Was it received by mail from Mr. Poorman? A. Yes, sir.

[Here the exhibits marked 24, 25, 26 and 27 were read in evidence, and were as follows:]

[EXHIBIT 24.]

BELLAIRE TRIBUNE.
(Daily and Semi-Weekly.)
Bellaire, Belmont County, Ohio.
Population of county, 54,000.
Population of city, 18,000.
Largest circulation and best advertising medium in the city.

Office of
C. L. POORMAN & Co.
Publishers of the
Daily and Semi-Weekly Tribune.
Largest circulation and best advertising medium in the city.

BELLAIRE, OHIO, October 22, 1888.

HON. ED. GREER—*Dear Sir:* I still hold in my possession the gravest and most startling evidence of treason in connection with the "Videttes." And if you will

have Harper send me a draft for the amount of judgment I secured in Judge Buchanan's court against the Vincents, I will send it to you. When I take into consideration that the grand old Republican party paid me but my expenses in hunting this matter up, and not even reimbursing me for what I did, I think it a little strange. I will also send an affidavit in regard to Vincents that will silence them, backed up by the officers and business men of this county, regardless of party.

I am poor, Greer, and am sorely in need of money, and I think that the Republicans should at least make up to me what I lose in this suit by having to leave.

Trusting you will act at once, I am yours truly.

G. W. POORMAN.

[EXHIBIT 25.]

The State of Ohio, Belmont county, ss.: Before me, W. H. Brown, mayor of the city of Bellaire, in said county and state, personally came Geo. W. Poorman, who being duly sworn according to law, deposeth and saith, that he did not get the ritual or any part of the secret work of the order of National Videttes from the *Nonconformist* office, in Winfield, Kansas, but did procure the same from Samuel Nutt and his wife at South Haven, Sumner county, Kansas, and further this deponent saith not.

GEO. W. POORMAN.

Sworn to and subscribed before me this 27th day of October, A. D. 1888.

[seal.]

W. H. BROWN, Mayor of Bellaire, Ohio.

[EXHIBIT 26.]

BELLAIRE TRIBUNE.
(Daily and Semi-Weekly.)
Bellaire, Belmont, County, Ohio.
Population of county, 54,000.
Population of city, 13,040.
Largest circulation and best advertising medium in the city.

Office of
C. L. POORMAN & Co.,
Publishers of the
Daily and Semi-Weekly Tribune.
Largest circulation and best advertising medium in the city.

BELLAIRE, OHIO, October 27, 1888.

Mr. Ed. Greer — DEAR SIR: Yesterday there was a dispatch came to this town from Winfield, to the mayor or sheriff, asking if George W. Poorman, a printer, was in this place on the 18th and 19th of this month, signed "Carle." The first name I have forgotten. Show this to Cooper at once and have him find out who sent it and what their move is, and let me know at once. Yours truly,

GEORGE W. POORMAN.

Send me your daily for awhile until.

[EXHIBIT 27.]

State of Ohio, County of Belmont, ss.: George W. Poorman, after being first duly sworn upon his oath, says that he is the same George W. Poorman who formerly worked in the *American Non-Conformist* office at Winfield, Kansas, and that while so working in said office affiant discovered the treasonable order of "Videttes," and the Vincents' connection therewith, and he procured the secret work of the order at South Haven, Kansas, from one of its members, and caused the same to be published in the *Winfield Courier* during the political campaign of 1888.

That in this matter he was operating as a republican, having belonged to that organization for many years, and done what he did in exposing the infamous character of that organization in the interest of good order, and for the peace and safety of both persons and property. And that he had nothing to do with Ed. P. Greer, of the *Winfield Courier*, in and about that transaction, and, so far as affiant knows, there was the best of feeling existing between the Vincents and said Greer.

That while affiant was beat out of a portion of his wages by said Vincents, and feels that they did not act the man with him in the premises as they ought to have done, yet he has no malice against them which would cause him to do them any personal violence, or violence to their property. And they could do him no injury of a character to cause him to stoop to such a dastardly act.

That affiant shortly after the publication above referred to left the State of Kansas, and went to the State of Ohio, where he was staying at the time of the Coffeyville explosion, and never knew or heard anything about that explosion or the originators of it except what he has read in the public prints. The charge that affiant had anything to do with it, either directly or indirectly is a base and infamous libel, and is absolutely and wholly false in every particular, unsupported by a single act on his part which could lead to that conclusion.

That he never received any money or any other consideration from Ed P. Greer, either directly or indirectly.

That affiant has not seen Ed P. Greer since leaving Winfield, and never in his life had aught to do either directly or indirectly with C. A. Henrie of Topeka.

And affiant here and now wishes to emphasize the fact that neither himself nor any one else, to his knowledge had aught to do with the Coffeyville explosion, and any charge to the contrary is wholly and absolutely false.

Affiant further states that he has been informed that the Vincents are circulating reports connecting affiant with said Coffeyville outrage, and that in doing so they reflect their true character and show themselves to be fit subjects of the treasonable order, the exposure of which defeated the union labor party in Kansas, because they know that affiant did not have anything to do with said exposure, and had no knowledge of said box which exploded. And they make their base and infamous charges because they are utterly reckless.

And affiant was unfortunate enough to have sued them for his wages. That affiant got judgment against them in justice's court, and they appealed to the district court, where it was dismissed, because affiant, knowing them and their organization, was afraid to go back to Winfield to testify against them.

GEORGE W. POORMAN.

Subscribed in my presence and sworn to before me this 22d day of July, A.D. 1889.

W. H. BROWN,

Mayor of the City of Bellaire, O.

Q. In this connection, I will ask you to state ~~to state~~ to the Committee in reference to the dispatch signed "Cure," if you know the dispatch was sent? A. I procured it to be sent.

Q. In whose name was the dispatch? A. Marshal Cure, of the city of Winfield.

Q. Do you remember his first name? A. Sid Cure, is his name.

Q. In one of the exhibits introduced yesterday, I noticed upon the fly leaf the name of some person written in pencil; state if the name was in the book at the time it was delivered to you by Mr. Poorman. A. Yes, sir.

V. A. BEARD, being duly sworn, testifies as follows, (examined by Mr. Henderson):

Q. You may state your name to the Committee? A. V. A. Beard.

Q. Where do you reside? A. At Winfield.

Q. How long have you resided there? A. About the 20th day of January, 1880.

Q. Are you in business in the city of Winfield? A. Yes, sir.

Q. Were you in the city of Winfield in the fall of '88? A. Yes, sir.

Q. Were you at that time acquainted with Mr. E. P. Greer? A. Yes, sir.

Q. Were you acquainted with Thomas Cooper? A. Yes, sir.

Q. Were you acquainted with Mr. Hendricks, of the firm of Hendricks & Wilson? A. Yes, sir.

Q. Did you know the place of business of Hendricks & Wilson in the fall of '88? A. Yes, sir.

Q. What street was it on in the city of Winfield? A. Main street.

Q. Now I will ask you to state to the Committee where you did business with

reference to the building in which Hendricks & Wilson did business in? A. First room north.

Q. What was the character of the building; out of what kind of material constructed? A. Whose building?

Q. Yours. A. Wooden.

Q. What was the material of the building occupied by Hendricks & Wilson? A. Stone.

Q. Did you at that time and during the campaign of 1888, know the location of the Republican County Central Committee's headquarters? A. Yes, sir.

Q. Did you at that time know the location and place of business of E. P. Greer? A. Yes, sir.

Q. I will ask you to state to the Committee if it was customary for persons to congregate in and about the place of business of Messrs. Hendricks & Wilson in the evening, for the purpose of discussing and talking politics? A. Well, I might say, they met there and talked.

Q. I will ask you to state to the Committee, if you remember about the time when the ritual of the Videttes was published in the *Winfield Daily Courier*? A. I could not say as to that.

Q. You remember the fact? A. Yes, sir.

Q. I will ask you to state if you remember when the reported dynamite explosion took place at Coffeyville, not the date, but the fact of hearing it? A. Yes, sir; I heard of it.

Q. You may state to the Committee if prior to this dynamite explosion at Coffeyville, you heard any conversation in relation to that matter in front of the building of Hendricks & Wilson? A. No, sir; I never heard anything said about Hendricks & Wilson's place.

Q. Did you hear any in front of your own place of business? A. No, sir.

Q. About any political movements of the party? A. Well, I do not know anything in particular.

Q. Did you hear any conversation prior to the explosion between any parties, in which Mr. Greer was engaged? A. Well, I guess I did.

Q. When was that, with reference to the Coffeyville explosion? A. Well, I could not tell you when it was, and the date of it, but it was the evening before Mr. Greer went to Topeka; there was a lot of people congregated there in front, sitting on a wheelbarrow, some on grindstones, some on half-bushels, and some on well-buckets and boxes in front of the store.

Q. And now, upon that particular occasion did you notice Mr. Greer; where Mr. Greer was? A. Yes, sir; on a wheelbarrow.

Q. Where was the wheelbarrow, with reference to your place of business? A. Well, it was just outside of the door.

Q. Now, who was there at that time, as near as you can remember? A. I cannot tell all who were there. Jim Cooper was there, Ed. Greer.

Q. Who else? A. Hendricks and Wilson.

Q. Who else, that you remember of? A. I cannot tell you; it was a public place, and probably there were a dozen there, or twenty.

Q. Do you remember the names of any other persons that were present at that particular time? A. What particular time do you mean?

Q. The time that this conversation was being had; the time you had Ed. Greer located on the wheelbarrow? A. Well, I could not exactly state, because he was there from nine o'clock to ten or eleven.

Q. Sitting in the same position? A. I believe so.

Q. While he was sitting there, did you hear him say anything about going away anywhere? A. No, sir.

Q. Did you afterwards hear him say anything about going away? A. Yes, sir.

Q. Where was it? A. In my store.

Q. At what time? A. It was nearly twelve—after eleven, that same evening.

Q. Well, what did he say in your store about going away? A. He said he was going to Topeka in the morning, and would eat breakfast at Udall or Mulvane.

Q. Now, you may state to the Committee the conversation that you heard there that evening, before Mr. Greer came into your place of business? A. Well, he was talking there with the boys; I don't know all that was said.

Q. Tell what you remember? A. Well, all the conversation that I can recollect anything about distinctly was between him and Sol Burkhalter.

Q. Now, state what that conversation was. A. I only heard a part of it.

Q. Tell all you heard. A. Well, about 11 o'clock, or a few minutes after, Sol Burkhalter came there and stopped another man talking with Mr. Greer, and Mr. Burkhalter said: "Ed., I hear you are onto them?" He says, "Yes, you bet I am." He says, "Ed., my God, that is awfully dangerous." He said, "No, sir, not at all." "Well," he says, "how are you going to fix it?" And he said, "I am going to have an officer there when the package is delivered."

Q. What else was said, if you remember? A. Well, I cannot say all that Mr. Greer said; it was very low and I did not hear it all. Burkhalter said in regard to the dangerous part of it, that there were a lot of women and girls there, and he would hate to see them hurt.

Q. A lot of women where, did he say? A. I do not know. Some office, I think.

Q. What else? A. I did not understand all.

Q. You understood the place was in Winfield? A. Yes, sir.

Q. Did you notice when Mr. Burkhalter came up there from what direction he came? A. I think he came from the direction of headquarters.

Q. Republican headquarters? A. Yes, sir.

Q. Do you know whether he was at the place where this conversation took place at any time prior to the time he had this conversation with Mr. Greer? A. In the fore part of the evening there were a lot of fellows along there, I believe; Tom Soward and Pierce, a laboring man, and one or two others, I cannot tell who.

Q. Do you remember whether Mr. Burkhalter was with them or not? A. I would not say whether Mr. Burkhalter was with Pierce or Soward. He was probably with Cap. J. B. Nipp.

Q. Now, you say you observed these parties going up there in several different squads? A. Yes, sir.

Q. Now, can you name any others besides those you have already named? A. When them folks was sitting on the half-bushels, them folks, Cooper and that crowd, all of them, Nipp and Soward and that squad, stepped in front of the walk, and Sol Burkhalter said—some one called Nipp out and said that he wanted to talk private, and they stepped out in front of the walk. Sol Burkhalter said: "Let's go, boys; them fellers are plotting against them dynamite plotters," or something like that.

Q. Then, they were either plotting against the dynamiters or they were dynamite plotters? A. Yes, sir, something of that kind.

Q. That was the first that attracted your attention? A. Yes, sir.

Q. Where were you at that time? A. I was in front of my store there, selling peanuts, lemonade, and cigars.

Q. Did you hear any conversation with any one further that evening? I could not tell.

Q. Now, then, the time that Mr. Greer came into your place of business and got a lunch, was when he told you he was going to Topeka? A. Yes, sir.

Q. You say that was about eleven o'clock? A. After eleven, between eleven and twelve.

Q. Did he say when he would return? A. No, sir.

Q. He said nothing about that? A. No, sir.

Q. Did he say anything about the Vincents, when he was in there? A. No, sir.

Q. Did he say anything about his publication which contained an expose of the ritual of the Videttes? A. No, sir.

Q. That subject was not mentioned when he was in your place of business? A. No, sir.

Q. Was the exposure of the ritual of these Videttes talked about in front of the store of Hendricks & Wilson, that night? A. The general subject was the dynamite business.

Q. Was there anything said there that night with reference to that box that you have not told? A. No, sir; I did not know anything about it.

Q. Was the name of the officer mentioned that was to be at the depot upon the arrival of the box? A. No, sir; the officer was to be where the package was to be delivered; they didn't call it a box, they called it a package.

Q. Now, then, what was said about that? A. Just as I said before, an officer was to be there when the package was delivered, and as soon as the package was in his possession, he was to be arrested.

Q. Whose possession? A. I do not know.

Q. Any name stated? A. No name at all; he said he would arrest those fellows—he called them the "damned dynamiters."

Q. Was there anything said about finding the package in their possession? A. No, sir.

Q. As soon as it was delivered to some parties, these parties were to be arrested? A. Yes, sir; as I understood it.

Q. An officer was to be there for that purpose? A. Yes, sir.

Q. And that was the substance of the conversation that took place at the place that you have named? A. That is the part of it that I heard; understand now, they were talking low and I could not catch all of it.

Q. Do you remember of stating these circumstances to any person? A. Yes, sir.

Q. Who was the first person that you told? A. I do not know, I think George Applegate.

Q. When was it with reference to the Coffeyville explosion you told him this? How long afterwards? A. I could not say.

Q. It was after the explosion? A. Yes, sir; it might have been two or three days, or it might have been more.

Q. Who else do you remember of having told that to? That is I mean at the immediate time? A. About a year afterwards, I suppose I told Mr. Wilkinson.

Q. Where were you when you told him? A. In his place of business.

Q. Where was his place of business with reference to your place of business? A. Second door from mine.

Q. How did you happen to tell him at that time? A. Why, Mr. Paddock was into Wilkinson's place, there was a conversation of some kind going on, and he came in and stopped in the front, and they got to talking about different topics, and virtually they got to talk about the Vincents. (Witness pointing to Henry Vincent.) I think this man was in the store, I am not certain; that is, now understand me, this man came out of the door (pointing to Vincent) about the time I came out; I walked back and forth several times in front and I understood them talking pretty sharply about Vincents. I would call it quarrelling; I don't what you gentlemen would call it, and after a bit Mr. Paddock went out, and I stepped in and com-

commenced talking to Wilkinson about the Vincents, and I told Mr. Wilkinson the conversation that I heard between Burkhalter and Greer.

Q. Now, how did it happen that you told it to Mr. Applegate? A. I am not able to say positively how that came about. I and Mr. Applegate are pretty good friends and we have talked frequently; at one time I was buying buns from him when he was in the restaurant, and then in that conversation he was telling me about Mr. Cooper.

Q. Now, then, you may state if that was the time that you told Mr. Applegate about this matter first? A. Yes, sir; I believe it was.

Q. Now, did you ever say anything more about that up to the time you had your conversation with Mr. Wilkinson, I mean to any other person other than to Mr. Applegate? A. Well, you are drawing me out, partner.

Q. Well, that is what I am here for. I will ask you whether or not at any time you told the Messrs. Vincent about it? A. No, sir; I do not think I did.

Q. Did you ever tell any person who was employed by them as editor or reporter anything about it? A. Not that I know of.

By Mr. Curtis: Q. What time in the night did the first one of these conversations that you claim you heard between Burkhalter and Mr. Greer occur? A. Some time after eleven o'clock.

Q. Was that before or after Mr. Greer had taken a lunch at your place? A. Before.

Q. Did you say anything to Mr. Greer about it when you came in to get a lunch? A. No, sir.

Q. How long had you been serving lunches there? A. I guess a little over a month; just about a month.

Q. What has been your business since you have been at Winfield? A. Confectionery and lunch.

Q. All the time? A. Not all the time.

Q. What other business have you been engaged in? A. Did not do anything but loaf.

Q. How much of the time of this ten years have you loafed? A. About fifteen months, I guess.

Q. Who else was in front of Hendrick & Wilson's place of business at the time you claimed you heard this conversation between Mr. Burkhalter and Mr. Greer? A. I could not tell you all.

Q. How far were these two gentlemen standing from those who were in front of your place of business? A. Which two do you mean?

Q. Mr. Greer and Mr. Burkhalter; how far were they standing from those parties who were in front of Hendrick & Wilson's place of business? A. They were not exactly in front of his place as much as in front of mine.

Q. Who was? A. Mr. Greer and Mr. Burkhalter.

Q. How far were they from Mr. Burkhalter's place? A. I believe that Mr. Burkhalter did not do anything in the livery business at that time.

Q. How far were they from the Hendricks & Wilson's place? A. Up against the wall.

Q. Up against the wall? A. As near as they could get.

Q. How far from them were the crowd? A. There was no crowd there; these two were the last I seen there.

Q. Now, didn't you testify upon your direct examination that Mr. Greer was there talking to a crowd, and Mr. Burkhalter came up, and then Mr. Burkhalter and Greer stepped off to one side and had a private talk? A. No, sir, I didn't testify to

that. Now, let me tell you: First, now, Greer did not get off the wheel-barrow until he got off and came to get a lunch.

Q. Where did he go after he got a lunch? A. He says he went home.

Q. Did he leave your place? A. Yes, sir.

Q. Did you see him talking with anybody after he got a lunch? A. No, sir.

Q. Was he sitting in a wheel-barrow at the time this conversation occurred between him and Burkhalter? A. Yes, sir.

Q. Didn't you say a little while ago that he was leaning against the building?

A. Well, can't he sit in a wheel-barrow and lean against a building?

Q. Who was there when Mr. Burkhalter came up? A. I could not tell.

Q. Was there anybody? A. Two or three of them.

Q. How long did they stay there? A. I don't know how long, and Mr. Burkhalter I suppose came from headquarters and stopped there; these other fellows left there about the time he got there.

Q. Then how long did Mr. Greer and Mr. Burkhalter sit there? A. Twenty minutes, say.

Q. Where were you during this twenty minutes? A. I was in the store.

Q. Inside of the building? A. Yes, sir.

Q. How far were they from you? A. A part of the time there was not more than the thickness of the wall between us.

Q. What kind of a wall? A. A wooden wall.

Q. Plastered? A. No, sir.

Q. Was you outside at all? A. Yes, sir.

Q. Where was you when you heard all that you claimed that you heard? A. Inside of the door leaning against the wall.

Q. Inside of the building? A. Yes, sir.

Q. And where was Mr. Greer and Mr. Burkhalter? A. Mr. Greer was sitting in the wheel-barrow, leaning against the wall that I was leaning against.

Q. On the outside of the wall? A. Yes, sir.

Q. Then you did not see them at the time? A. I saw Mr. Burkhalter walk past and he got to talking with him.

Q. How long was it before you heard this particular conversation after Burkhalter came up? A. I could not hear any conversation to amount to anything, after Burkhalter came up, it was talked very low, the parties talked extremely low; I am hard of hearing and could not hear hardly anything. There was a wall between us, and I was not there all the time, I was waiting upon some customers part of the time; as soon as I got through I went back and listened.

Q. Were they inside of the building, Mr. Greer and Mr. Burkhalter? A. No, sir.

Q. How far is Hendricks & Wilson's place from yours? A. Our walls adjoin.

Q. Now, you say they were there twenty minutes? A. I suppose so.

Q. At what period of the twenty minutes was it that you heard this conversation? A. Right immediately after them fellows left.

Q. Who commenced the conversation? A. Mr. Burkhalter.

Q. Was this before or after the expose of the Videttes? A. It was afterwards; I believe it was that man there (pointing to Henderson) and one of the Vincents who had the discussion.

Q. How long after the time that they had this discussion that you heard, or claimed you heard? A. I could not tell; I do not remember it; the boys went up there quite frequently to hear them discuss politics; it did not interest me much, and I did not pay much attention to it.

Q. After the expose of the Videttes, what were the Videttes known as? A. I didn't know of any such thing.

Q. They were called any particular name? A. I do not know anything about them.

Q. Who was called the dynamiters? A. That outfit.

Q. Which outfit? A. The Vincent outfit, they call them.

Q. How long have you known the Vincents? A. I have seen them off and on for about four years — maybe three years.

Q. Were you a Vidette? A. Not that anybody knows of, I didn't know anything about it.

Q. To what political party did you belong? A. Democrat.

Q. Now did you ever hear any other conversation between Mr. Greer and Mr. Burkhalter about this matter? A. No, sir.

Q. Did you hear anything said between them that night about the Videttes? A. Don't recall anything of it.

Q. What were the first words that were said that you heard between these two? A. The first words that attracted my attention was, "Ed, you are on to them."

Q. What was the next word that was said? A. "You bet I am on to them," or words to that effect.

Q. What was the next? A. I could not tell what all they said. The next word was said by Mr. Burkhalter. He said: "Ed, it is awful dangerous, and is liable to hurt some innocent persons." Women and girls, I think we used them words; "better be careful, Ed." Ed spoke up and said there was no danger; they were going to have an officer there as soon as the package was delivered and arrest the fellows.

Q. Now, were they leaning against the front of your building at the time? A. Yes, sir.

Q. The wheelbarrow was in front of your building? A. It was in front of both the buildings; they would pull it back and forward occasionally.

Q. Which side of Mr. Greer was Mr. Burkhalter standing or leaning? A. If I am not mistaken, he was sitting on a little box; walked up in front and sat down on a little box, and those other fellows got up.

Q. Did you see either of these gentlemen at the time you claimed you heard these words? A. No, sir.

Q. You say you are hard of hearing? A. Yes, sir.

Q. Had you been out there in the evening talking particularly in the discussion of politics with the crowd? A. Not very much. I was out there joking with the the boys as they passed by.

Q. How long after this night before the next expose was published after that in the *Winfield Courier*? A. I do not know.

Q. Do you know of an expose being published after that, in the *Winfield Courier*? A. There were several of those exposes, but I could not give you the dates. I did not take the paper; one of the neighbors took it, and I got it once in awhile and read it.

Q. Did this conversation that you claim you heard took place, occur between the two exposes, or after both of them? A. I could not say.

Q. What is your best recollection about it? A. Well, the first expose was, I believe, about the time that Mr. Vincent and that Henderson had their debate, and some of the boys were laughing at it, and how slick Vincents done up Henderson. Mr. Henderson was going to bring up this Vidette business in the course of his argument; of course the boys would have lots of fun about the thing, and I could not say all that was said; I stuck in my lip once in a while. I do not know how many exposes there were of that, the only one that I have any definite knowledge of is the one that Mr. Henderson was going to apply to that argument.

Q. Now you claim that this conversation that you heard occurred one night upon which Mr. Greer said that he was going to Topeka the next morning? A. Yes, sir.

Q. That it occurred at a time prior to some time that he intended to come to Topeka? A. That conversation took place the evening before he started in the morning.

Q. Well, was it before or after the debate between Mr. Henderson and Mr. Vincent? A. It was afterwards.

Q. Do you remember on what day of the week it occurred? A. No, sir; somewhere about the 11th or 12th of the month of October.

Q. How did you come to remember the date? A. Well, a summons was served upon me about that time.

Q. Summons served on you, speaking of that date? A. What summons? Some of these fellows sent down and served a summons on me.

Q. Did that summons tell you the date upon which you claimed to hear the conversation between Mr. Greer and Mr. Burkhalter? A. No, sir.

Q. Did that summons say anything about a subpoena about the 11th or 12th of October? A. Yes, sir; I believe it did.

Q. Now, don't you know that there was not a word said in that subpoena save and except that you should appear here upon a certain day named in the summons to give your testimony before this Committee? A. And testify to what knowledge I knew about a certain conversation that took place at that time; I think that was the way it read.

Q. Did you ever tell any one upon what date you heard or claimed to have heard this conversation? A. Not particularly, only the evening before Mr. Greer went to Topeka; that is where I got my basis from.

Q. You heard Mr. Greer testify yesterday, you heard Greer testify that he came to Topeka on the 12th day of October, didn't you? A. Yes, sir.

Q. Now isn't that fact, the fact of his testifying that he came here on the 12th day of October, is what makes you remember the 12th day of October, 1888? A. It is a general conversation of that kind.

Q. Now, you say it was from a conversation of that kind, and not from a summons or subpoena? A. Summons says so.

Q. When was the summons served on you? A. Two or three nights ago.

Q. You stood here yesterday, and heard Mr. Greer testify? A. Yes, sir.

Q. You heard him testify that he came to Topeka on the 12th day of October? A. Yes, sir.

Q. By Mr. Henderson: Going from Winfield to Topeka via. Udall and Mulvane, do you know what road you travel on? A. Santa Fe.

By Mr. Curtis:

Q. Did you talk with any body since you have been here, about what your testimony would be? Yes, sir.

Q. Who? A. That man there. [Pointing to Mr. Henderson].

Q. Anyone else? A. Yes, two or three.

Q. Who? A. Mr. Webb.

Q. Was Mr. Vincent there? A. Perhaps he was, I don't know.

Q. Was Professor Vincent there? A. I can not say.

By Mr. Kimball: Q. Now you know that there was an exposure of the secret society, known as "Vidett's," published in some of your Winfield papers? A. Yes, sir; there was.

Q. That was published prior to the 11th or 12th of October, which is the time you have spoken of? A. Yes, sir; I think it was before that.

Q. To whom did you understand that they referred, when they said they were plotting against the dynamiters? A. Well, I do not know.

Q. Did you understand that they referred to anybody? A. There were some five or six sitting around there.

Q. To whom did you understand that they referred? A. Could not tell.

Q. Had no idea? A. No, sir.

Q. Was there any party or organization, or set of men, there in Winfield that had been frequently called the dynamiters previous to that time? A. Yes, sir.

Q. What party or set of men was it? A. It was called the Vincents.

Q. Who was it that you said spoke up at one time and said, "we are plotting against the dynamiters?" A. Sol Burkhalter.

Q. And this prior to the time when Greer left to go to Topeka? A. Same evening; before he left in the morning.

Q. Well, isn't it a fact that when he used the words, "they are plotting against the dynamiters," that you understood him to mean that they were plotting against this organization that has been mentioned? A. I suppose the Vincents.

Q. Well, you understood that the Vincents were connected with this organization, did you not? A. Yes, sir; in regard to that expose business.

Q. There had not been any dynamite exploded to your knowledge prior to that time? A. No, sir.

Q. Now, in one part of your examination you said that you understood that the office that was referred to that was to be blown up was in Winfield? A. I did not say it was in Winfield; there was no place mentioned.

Q. You said that you understood that was what they meant? A. You can apply anything to it that you want to.

Q. Didn't you say, in answer to the question that was asked you as to what place you meant that you thought that this explosion was to take place, that you understood that it was to take place in Winfield? A. There was no explosion talked of then.

Q. You understood them that the package was to be delivered to some office in Winfield? A. Yes, sir.

Q. Now, what was said to cause you to understand that? A. Mr. Burkhalter said, "My God, Ed., that is awful dangerous, and there is women and girls there, and I would not want to see anybody hurt."

Q. That would apply to Winfield alone? A. I could not tell you where else it would mean.

Q. That is all that was said that would cause you to think that Winfield was the place you referred to? A. Yes, sir.

By Mr. Henderson: Q. What did Ed. Greer say in response to the statement of Mr. Burkhalter that "it was very dangerous; that women and girls were there?" A. He said there would not be any danger; that they would have an officer there and arrest the fellows as soon as they came with the package and had it in their possession.

MR. GEORGE APPLGATE, being duly sworn to testify the truth, the whole truth, and nothing but the truth, concerning the subject matter under investigation, testified as follows:

By Mr. Henderson:

Q. You may state your name to the committee. A. George Applegate.

Q. Where do you reside? A. Winfield.

Q. How long have you resided in Winfield? A. Six years.

Q. Are you acquainted with one James Cooper? A. I am.

Q. Were you acquainted with him in '88? A. Yes, sir.

Q. Are you acquainted with one E. P. Greer? A. I am.

Q. How long have you been acquainted with him? A. I have known him ever since I have been in the town, five or six years.

Q. Do you know what relation Mr. Cooper held to the Republican county central committee of Cowley county in '88. A. I do not.

Q. Do you know whether or not he was a member of that committee? A. I do not.

Q. Do you know where the Republican headquarters were that year? A. No, sir.

Q. Were you in business during the fall of 1888? A. I was.

Q. What business were you in? A. Restaurant and bakery.

Q. Where were you doing business in the city of Winfield at that time? A. I was on South Main at that time, I forget the number of the building.

Q. Do you remember the circumstance of the Coffeyville dynamite explosion? Did you hear of it? A. Yes, sir; I heard of it.

Q. I will ask you to state to the Committee if at any time after that you had any conversation with Mr. James Cooper in relation to that affair? A. Yes, sir.

Q. You may state to the Committee what that conversation was? A. Mr. Cooper came into my place of business, and there was a paper lying on the show case. He called for some bread, while I was tying the bread up he picked up the paper, and it happened to be the *Non-Conformist*; he threw the paper down immediately, and made the remark, that he didn't think I would have such a thing in my house.

Q. What followed that? A. Well, in a joking way I said I thought he knew as much if not more about that affair than the Vincents.

Q. About what affair? A. Well, about the explosion.

Q. Now, there was something said in that conversation with reference to the Coffeyville explosion? A. No, sir.

Q. That was all that was said in that connection? A. Yes, sir.

Q. He didn't think you would have such a newspaper as that in your house? A. Yes, sir.

Q. What was your response? A. Simply, "Why?"

Q. What did he say in answer to that question? A. He called them "damned dynamiters."

Q. Then, what did you say in reply to that? A. Well, I made this remark in a joking way, that I thought he knew as much as they did, if anything, a little bit more.

Q. Had you prior to that time heard from any source what purported to be a conversation that had taken place between Mr. Greer and other persons in relation to that matter, and if so, from whom did you hear it? A. No, sir; I heard from Mr. Beard.

Q. When was that with reference to the reported dynamite explosion in Coffeyville, that is, that you had this conversation with Mr. Beard? A. Well, it was after that.

Q. How long after? A. Well, that I could not say.

Q. About how long? A. Well, I suppose it might have been two or three weeks; perhaps longer.

Q. You may state to the Committee what that was. A. As well as I remember, Mr. Beard came into my place of business, and we got to talking about the Coffeyville explosion, and he told me this conversation he had overheard.

Q. Between who? A. Between Mr. Burkhalter and Mr. Ed. Greer.

Q. Now, state to the Committee what he said. A. As well as I can remember, he said he heard Mr. Burkhalter make the remark to Mr. Greer, "You have got them

down fine, Ed." Mr. Greer said, "Yes." Mr. Burkhalter said it would not do to let that get into an office; that it was dangerous, and liable to hurt innocent parties and endanger their lives. Mr. Greer said that they would attend to that; that there was to be an officer to take charge of it, or something of that kind.

Q. Now, is that all you remember he said, Mr. Applegate? A. Yes, that is about all I remember.

Q. Did he tell you who the parties were at the time they had this conversation. A. He said they were sitting out in front of Hendricks & Wilson's place of business next to his place.

Q. Did he tell you what time of night it was? A. I do not think he did.

Q. Did he say anything in that conversation about when it was? No, sir; not that I remember.

Q. After having heard this conversation, and while in conversation with Mr. Cooper, that prompted you to make the remark to him that you did? A. Yes, sir.

Q. Do you remember whether or not, in that conversation, Mr. Applegate, Mr. Beard told you when the officer should take charge of the parties? A. Well, he said that Mr. Greer made the remark that an officer was to take charge of them.

Q. Take charge of it, where? A. Before it got into an office.

Q. Do you remember whether any particular office was mentioned? A. No, sir; I do not.

X By Mr. Curtis: Q. How long was it after the Coffeyville explosion that you had this conversation with Mr. Beard? A. I can not say, exactly.

Q. Just as near as you can? A. I suppose it was two or three weeks.

Q. Two or three weeks after the explosion? A. Yes, sir.

Q. How did you come to talk with Mr. Beard about it? A. Mr. Beard came into my place of business and we got to talking about it.

Q. Was he at that time trying to shift the responsibility of the explosion from the Vincents on to Mr. Greer? A. Well, I do not know as to that.

Q. Well, from what he said? A. Well, I suppose from what he said—I told you what he said.

Q. Did he tell you how he came to hear this conversation between Mr. Greer and some other person? A. Yes, sir.

Q. Who did he name? A. Mr. Burkhalter.

Q. Now, then, did he tell you how he came to hear it? A. Yes, sir.

Q. Did he tell you where he was at the time he heard it? A. Yes, sir.

Q. Did he tell you what time of night it occurred? A. No, sir; I do not remember.

Q. Did he tell you whether it occurred in day time or at night? A. He said after night he heard it.

Q. Did he say whether or not he had told any other persons? A. No, sir.

Q. Did you ask him if he had reported it to the officers? A. No, sir.

Q. Why didn't you? A. Well, I reckon I 'lowed him to do as he pleased about it.

Q. Now, you told the committee that because you heard what you have stated Mr. Beard said to you, that was why you made this remark to Mr. Cooper. Now I will ask you to state if there was anything said by Mr. Beard to you that connected Mr. Cooper with the transaction; if there was anything said about Mr. Cooper? A. Well, Mr. Beard said in the evening that there was quite a number in front of Hendricks & Wilson's place of business, and among that number was Mr. Cooper.

Q. I understand you to say in answer to the question of counsel, that you made this remark to Mr. Cooper because of what Mr. Beard said to you, and when they asked you to give what Mr. Beard had said you simply used the language that he had used in which he claimed that he had heard certain conversations between Mr. Greer and this other gentleman, Mr. Burkhalter; now, then, if that is all you have

heard, why was it that you made the remark to Mr. Cooper? A. Quite a large number had congregated out there, and among them was this Mr. Cooper.

Q. Then why did you not give that answer to the gentleman on the other side as the reason why you referred to Mr. Cooper? A. Well, I do not think he asked me that question.

Q. You said that you made this remark to Mr. Cooper in a joking manner? A. Yes, sir.

Q. Well, if you said it in a joking way you did not have much faith in what you had heard? A. Well, I did not pay much attention to it.

Q. Now, how long did you and Mr. Cooper talk about the Non-Conformist, or this gentleman, Mr. Vincent? A. Well, I gave you all the conversation that we had at that time in reference to that.

Q. And then you say, the way you spoke to him was in a joking way; you did not mean anything by that, did you? A. No, sir.

Q. You did not want to infer anything, did you? A. No, sir.

Q. By Mr. Henderson: Did Mr. Cooper make any reply to you, when you made that remark? A. Well, he made the remark that I was crazy.

Mr. Wilkinson being duly sworn to testify to the truth, the whole truth and nothing but the truth, concerning the subject matter under investigation, testified as follows:

By Mr. Henderson:

Q. You may state your name to the Committee? A. W. F. Wilkinson.

Q. Where do you reside? A. Winfield.

Q. How long have you resided in Winfield? A. Nearly eight years.

Q. Were you acquainted in 1888 with Mr. John Paddock? A. Yes, sir.

Q. Is he a labor man? A. Yes, sir.

Q. How long have you been acquainted with him? A. I cannot say positively.

Q. About how long? A. In the neighborhood of three years, perhaps four years.

Q. Do you remember the circumstance of the Coffeyville dynamite explosion? A. I do.

Q. Did you have any conversation with Mr. Paddock at any time thereafter with relation to its occurrence, and any connection of Mr. Vincent therewith? A. I can not say that I had.

Q. Did you have any discussion with him in reference to the Vincents? A. Yes, sir.

Q. Was it after this dynamite explosion? A. It was.

Q. When was it? A. Last summer.

Q. Where? A. In front of my place of business on Main street.

Q. Where was your place of business at that time with reference to the place of business of Mr. Beard? A. Second door north.

Q. What was that discussion? A. Well, you can hardly call it a discussion, for that matter. It was in regard to the Vincents being dynamiters, anarchists, and revolutionists, and that they desired a revolution in this country.

Q. Do you know what Mr. Paddock's political ideas were? A. Yes, sir; Republican.

Q. I will ask you to state to the Committee, if immediately after this discussion with him, whether or not you had any conversation with Mr. Beard? A. Immediately after that, did you say?

Q. Immediately after that. A. Yes, sir.

Q. Just state what was said at that time between you and Mr. Beard in reference to a conversation between Mr. Greer and Mr. Burkhalter? A. Mr. Beard overheard a part of the conversation between Mr. Paddock and me, and immediately after

Mr. Paddock went away he came up and he says to me, that is in reference to the conversation that Paddock and I had had: "Why don't you ask him if he didn't remember a certain night a short time before the explosion at Coffeyville, of Jim Cooper, Ed. Greer, Sol. Burkhalter, Hendricks and Wilson, and some others, being in front of Hendricks & Wilson's place, sitting on a wheel-barrow, talking of what disposition should be made of that package when it came to Winfield?"

Q. Well, now, what did you say? A. I told him that I knew nothing about it, or I should have asked him —

Q. Well, go ahead and tell what followed that? A. Well, he told me that a short time before the explosion at Coffeyville, there was late one night that these parties were congregated in front of Hendricks & Wilson's, and that they were talking about what disposition should be made of that package.

Q. Well, he gave you — State what was said? A. Well, he said that the plan that they had arrived at was, that they should pay an officer to follow that package and as soon as it was placed in the hands of the person that it was sent to, that person should be arrested.

Q. Well, what else? A. That a search should be made of the office, and the whole thing was done; I would not be positive that that was exactly the way he (Mr. Beard) stated it to me, that is this last.

Q. Do you remember if he said to you in that conversation or related in that conversation, any statement that Mr. Burkhalter had made in reference to women and girls? A. No, sir; I think not.

Q. You do not remember? A. No, sir.

By Mr. Curtis: Q. Who did he say this conversation was between that he heard? A. Well, he did not state to me who the conversation was between as I remember it at the present time.

Q. He told you about who was there? Just repeat the names again. A. Jim Cooper, Sol Burkhalter, Ed Greer, Hendricks & Wilson, that is all the persons I remember now of his telling me of.

Q. And these are the persons that he claims were there, and this plan, as you term it I believe, was what they had determined upon that night? A. Yes, sir.

Q. Now then at that time did he say anything to you about having overheard a private conversation between Mr. Greer and Mr. Burkhalter? A. No, sir; I think not.

Q. Did he say anything about Greer or Burkhalter talking about a package being dangerous. A. No, sir; not to my recollection.

Q. And you say he said nothing about any women or girls? A. No, sir.

Q. You say he said a search would be made of the office? You say he said he heard that that night? A. Yes, sir; that was a portion of the conversation.

Q. Now he told you that was the plan of all these parties you have named as overheard that night? Did he tell you what time of the night he overheard it? A. I do not remember what hour.

Q. Did he tell you anything about what Mr. Greer said he was going to do, or anything of that kind? A. No, sir; I have no recollection of what any particular one said.

Then he simply explained to you, or claimed that he explained to you what he heard that night? A. Yes, sir.

Q. Did he tell where he was at the time he heard it? A. No, sir, he did not.

[Witnesses Applegate and Wilkinson were here excused from further attendance upon the Committee. Witness Beard was excused until Monday afternoon or Tuesday morning.]

E. S. Moore, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject matter of this investigation, testified as follows:

By Mr. Henderson: Q. Mr. Moore, where do you reside? A. At Pueblo, Col.

Q. Have you at any time resided at Cowley county, this state? A. Yes, sir.

Q. Where did you reside during the summer and fall of 1888? A. Winfield, Kansas.

Q. State whether you were then acquainted with E. P. Greer, editor of the *Courier*? A. Slightly.

Q. Did you at that time know a gentleman named C. A. Henrie? A. I met him once in Winfield, one day there.

Q. Do you remember on what particular day that was? A. Yes, sir.

Q. State it, if you please? A. The 9th day of October, 1888.

Q. Where did you meet him on that day first? A. The first time that I met him that day was in the office of the *American Non-Conformist*.

Q. Do you remember about what time? A. Yes, sir.

Q. Please state it? A. It was about ten or fifteen minutes of eleven o'clock.

Q. How long were he and you together at the *Non-Conformist* office? A. He was there when I came; I suppose he left ten or fifteen minutes after I came.

Q. Did you see him again that day? A. Yes, sir.

Q. At what place? A. I again met him at the *Non-Conformist* office.

Q. How long were you in conversation with him on that occasion? A. About a half hour.

Q. Who left the office first? A. We left together.

Q. At what time, if you remember, did you leave the office? A. We left there, I think it was something after four o'clock, I am not sure.

Q. Where did you go from there, in company with him? A. Over to the Santa Fé depot.

Q. Did you stop upon your way? A. Yes, sir.

Q. Where? A. At the Bobbit hotel.

Q. Have you seen the gentleman, Henrie, here in this city, since you came here? A. I have seen him only in this room.

Q. Well, what do you say, is he the same gentleman you saw on the 9th of October at Winfield? A. Yes, sir.

Q. Were you present when he paid his bill at the Bobbit hotel? A. Yes, sir.

Q. Did you notice the name which was registered and the bill corresponding to which he paid? A. I did not notice the amount, but he said he came there at noon, and that name, as near as I recollect, was J. O. Brown.

Q. What place did he give as his place of residence? A. I am not sure, but I think it was Kansas City.

Q. Kansas, or Missouri? A. I do not know as I noticed.

Q. After he had settled his bill at the hotel, were you in company with him further? A. Yes, sir.

Q. From the hotel to what place? A. I left Mr. Henrie near the Santa Fe depot.

Q. What is the distance from the Bobbit hotel to the Santa Fe depot? A. Probably half a mile.

Q. How did you go from the hotel to the depot? A. We walked down Ninth to Main street, down Main to Thirteenth, down Thirteenth to Santa Fe depot.

Q. Did you accompany him the entire way to the depot platform? A. No, sir.

Q. How near to the platform did you separate from him? A. I think it was about two hundred feet.

Q. And from there where did he go? A. He went to the platform.

Q. And where did you go? A. I staid there a moment or two until he reached the platform, and then went back up town.

Q. State the reason why having started to the depot with him, you did not go the entire distance? A. As we reached that place where I parted with Mr. Henrie, which was a building west of the switches, before you cross the switches to the depot, he remarked to me, "I will have the meeting there with Mr. Ed Greer, and he will probably go away on the train with me, and I do not wish him to see us together, and you had better stop."

Q. Did you stop? A. I stopped there until Mr. Henrie reached the platform.

Q. Did you observe him after he reached the platform? A. I staid there until he reached the platform, and seen him approach and meet Mr. Greer, who was standing on the depot platform.

Q. What Greer was that? A. Mr. Ed Greer.

Q. The gentleman you saw on the stand here, as witness to-day? A. Yes, sir.

Q. What time in the day was that? A. It was just before the Santa Fé train left for the north, about 5 or 5:30; somewhere near that.

By Mr. Curtis: Q. What political organization did you belong to at that time? A. Union Labor party.

Q. Did you hold any official position with the central committee at that time?

A. I was the chairman of it.

Q. You knew who Mr. Henrie was, did you not? A. I had met the gentleman once before.

Q. You knew it was Mr. Henrie? A. Yes, sir.

Q. You knew he had formerly belonged to the Knights of Labor, did you not?

A. I suppose so.

Q. Now, is it not a fact instead of his saying to you: "I do not want you to go to the depot with me, I have a meeting there with Mr. Greer," that you said to him, "It is best that I do not go to the depot with you for the reason that some of the parties may see me with you, and it is not best that we should be seen together?"

A. No, sir.

Q. Did you have any conversation with him at the *Non-Con.* office before he went over to see Mr. Greer? A. Perhaps I did—I don't remember.

Q. Did you know where he went when he left the *Non-Conformist* office? A. When?

Q. When he left first that morning? A. I know where he said he was going.

Q. Do you know where he spent the time from dinner hour until four o'clock, the time when you saw him next after you met him in the morning? A. No, sir.

Q. Now, is it not a fact that you met him in the afternoon to find out something what Mr. Greer had said to him? A. No, sir.

Q. Do you know at whose solicitation he went over to see Mr. Greer? A. I do not.

Q. Did you hear anything said there in the office of the Vincents, that is the *Non-Conformist* office, about his going over to Mr. Greer's? A. I heard about his going over to Mr. Greer's but I did not hear Mr. Vincent ask him to go.

Q. Did they say anything about his going over? A. Mr. H. Vincent told us what he was going to do.

Q. Isn't it a fact at that time the people were talking pretty generally about the Vidette exposure. A. They were talking about a general debate they had had the night before.

Q. Isn't it a fact that they also talked about the expose? A. The people were talking about the expose.

Q. Now, didn't Mr. Henry Vincent and others talk about it in your presence?
A. Yes, sir.

Q. Didn't the Vincents also say that they were afraid that Greer was going to publish something else and that they wanted him, Henrie, to go over to Greer's and find out if he could get what Mr. Greer had? A. No, sir; they did not.

Q. Did they say anything about his going over there? A. No, sir.

Q. Which one of the Vincents was there? A. Henry Vincent was in the room, and Professor Vincent was in the room a short time.

Q. You were a member of the Videttes, were you not? A. Yes, sir.

Q. Was at that time? A. I was at that time.

Q. Do you remember anything about Mr. Henrie? whether he was a member or not? A. I had good reason to think so.

Q. Was there anyone went with you and Mr. Henrie to the depot? A. No, sir.

Q. Did not Professor Vincent go down there with you? A. No, sir.

Q. Did he go no part of the way with you? A. No part of the way.

Q. Now you say that you stayed at this place, about two hundred feet from the platform, until you seen Mr. Henrie meet Mr. Greer? A. Yes, sir.

Q. Now who else was there on the platform at that time? A. There was two or three men and boys standing around there.

Q. Could you give me their names? A. I can not.

Q. Can't give me the name of any person? A. No, sir; was not acquainted with anyone.

Q. Is it not a fact that Mr. Greer was not there at all? A. Mr. Greer was there.

Q. Was he standing where he could see you and Mr. Henrie separate? A. He was, if he was watching.

Q. How long did you stand and talk there before Mr. Henrie went up the depot platform, and how long did you stand and talk with him? A. Mr. Henrie walked right on and did not stop at all.

Q. Do you remember what you talked about in going from the hotel down to the depot? A. Mr. Henrie was telling me about his visit to Mr. Greer's office.

Q. You went with him to find out about that did you not? A. Not particularly.

Q. That was one of the reasons was'nt it? A. Not particularly.

Q. Did he tell you what Mr. Greer had told him? A. No, sir; he did not.

Q. Did you ask him? A. No, sir; all he said to me was what he offered voluntarily.

Q. You had an understanding with him, didn't you, that you should meet him after he went to Mr. Greer's office? No, sir; he said he would come to the *Non-Conformist* office before he left that evening.

Q. Was you working there at that office? A. Headquarters were there.

Q. How did you come to go to the hotel with him? A. I said I was not very busy, and I would walk down to the depot with him.

Q. Were you present at the time that Mr. Henrie and Mr. Vincent were talking together? A. No, sir.

Q. I understand you to say, that Mr. Henrie was in the office when you went in in the morning? A. Yes, sir.

Q. They had been talking together, that is before you went in? A. I expect so.
The witness was excused.

MR. BEARD, recalled. (Examined by Mr. Henderson.)

Q. I will ask you to state to the Committee, if you remember who was the first person you told about the conversation mentioned in your testimony this morning, between Mr. Greer and Mr. Burkhalter? A. The first man I told was Jim Conner.

Q. What position did Jim Conner hold at that time in Cowley county?
A. Sheriff.

Q. What did he say to you, if you remember? A. I can't remember all of it.

Q. Do you remember any of it? A. Yes, sir, part of it.

Q. Tell what you do remember about it? A. I believe the second or third day after the explosion, I went down to the jail—I mean court house,—and just as I got opposite the jail-gate, Jim was talking to some fellows. I made a motion to him, or beckoned, I don't know what you call it, and started out west from where the boys were standing; I told him something similar to what I said this forenoon; and he said—

Q. I did not ask what he told you? A. He told me to keep still, and quick as they can find out who them fellows was, they would have them arrested; them boys are good friends of mine, and have done a heap for me, and I never would feel more sorry than if the boys are arrested.

Q. Is that substantially all that was said? A. Pretty near all.

By Mr. Curtis: Q. Why didn't you tell that this morning? A. He told me to keep still and not say anything about it.

Q. You were sworn here this morning, and were asked to tell this committee who the first person was that you told, and you said you didn't recollect, but you thought it was Mr. Applegate; now why didn't you tell that it was Mr. Conner? A. That is the time when I said, "Now you are drawing me out, partner," and then he changed the subject.

Q. Then why did you not tell it when they asked you to state to this committee who you had told? A. I think the first question they asked me was, who I had told, and I said Mr. Applegate.

Q. Why didn't you give him Mr. Conner as one of the parties to whom you had told this matter? A. Well, sir, the only answer I have to that—I suppose all the reason I can assign for it is that they changed the subject, and started on Mr. Applegate.

Q. You now say that they did not ask you to tell who it was that you first told about this matter? A. Mr. Henderson started to ask me who was the first one I told; I said, "you are drawing me out, partner," and then they began talking about Mr. Applegate. They did not ask me the first man I told.

Q. Now I want to ask you if they did not ask you this question: "who was the first man you told?" and you answered them in this way—"I do not remember, but I think it was Mr. Applegate?" A. They did not ask me who the first man was I told.

Q. Did not the gentlemen on the other side ask you who you had told about this matter? A. No, sir; if they did I did not understand it that way.

Q. Now you may state to the Committee again why you did not tell about telling this matter to Mr. Conner? A. Well, I will say again as I told the Committee before, that they did not ask me who the first man was I told. Mr. Henderson started to, but changed the subject and never asked me who the first man was I told.

Q. Well, now when was the first time you told the gentleman on the other side that you had told Mr. Conner? A. I never told him.

Q. Who did you tell? A. I did not tell anybody.

Q. Now, did you tell anybody else about this conversation that you had heard, except these three gentlemen? A. No, sir.

Q. The other two you told in defense of the Vincents when you heard the Vincents being talked about? A. Not particularly.

Q. The occasions upon which you told it were just after somebody had talked about the Vincents was it not? A. No, sir.

Q. I mean Mr. Applegate and Mr. Wilkinson and others. There were a great many people talking about the Messrs. Vincent, were there not? A. Yes, sir.

Q. Why is it then that you did not tell more? A. It was not essential. Witness was excused.

BENJAMIN CLOVER, being duly sworn to testify to the truth, the whole truth, and nothing but the truth upon the subject matter under investigation, testified as follows:

(Examined by Mr. Henderson): Q. You may state your name to this Committee? A. Benjamin H. Clover.

Q. Where do you reside, Mr. Clover? A. Cowley county, Kansas.

Q. What part of the county? A. In the northeast part, two or three miles from Cambridge.

Q. How long have you resided in Cowley county? A. Nearly twenty-one years.

Q. Are you acquainted with Dr. Thomas Rude? A. Yes, sir.

Q. How long have you known him? A. Known him from first to last more than sixteen years, since he was a boy.

Q. Do you know where he resides? A. Yes, sir.

Q. Where? A. At Burden.

Q. How long has he resided in that immediate neighborhood? A. I might say he has resided—his home, if I do not forget, has been in that neighborhood ever since I knew him; not far from there.

Q. Have you been intimately acquainted with him? A. Yes, sir.

Q. Are you upon friendly terms with him? A. Yes, sir.

Q. Have friendly relations always existed between you and Dr. Rude? A. So far as I know.

Q. Do you know Dr. Rude's politics? A. Yes, sir.

Q. What is it? A. He has always been a republican, as I understand it.

Q. You may state whether he has ever had any prominence in politics in that part of Cowley county. A. Yes, sir; he always had been considered a leading politician.

Q. Do you know whether or not he has been a frequent attendant at the various county conventions held in Cowley county of late years? A. Yes, sir; within the last seven or eight years.

Q. Have you known him to be in consultation with the republican central committee of the county during political campaigns? A. Yes, sir.

Q. You was a member of the republican party, that is, for a long time? A. Yes, sir.

Q. And you were one of the active workers in that part of that county? A. Said to be.

Q. And you and Dr. Rude have frequently talked about political matters in that part of the county? A. Yes, sir.

Q. You may state to the Committee if there was a barbecue or picnic held upon your farm in September, 1890? A. Yes, sir.

Q. What time in the month was it? A. That picnic was either on the 24th or 25th of September.

Q. Do you remember whether Dr. Rude was upon your place upon the day of this picnic or barbecue? A. Yes, sir.

Q. Was he there the evening before? A. Yes, sir.

Q. Did you have any conversation relative to politics? A. Yes, sir.

Q. Was it the evening immediately before the barbecue, or was it the day of the

barbecue? A. My recollection is, we had conversation about political matters the evening before as well as on the day of the barbecue.

Q. In either of these conversations I will ask you to state to the Committee if anything was said relative to the Coffeyville dynamite explosion? A. Yes, sir; the matter was mentioned.

Q. Now, when was that? A. My recollection is, that it was late in the evening, before the barbecue the next day.

Q. Where? A. Down in the timber, where the barbecue was to be held.

Q. You may state to the Committee, Mr. Clover, in your own way, what was said by Dr. Rude and yourself, in relation to the Coffeyville dynamite explosion, upon that occasion? A. Well, my recollection of the matter is that he did most of the talking, and we were talking about political tricks that we had played, now and then; possibly some we had been concerned together in; among other things this matter was mentioned, and he said, to the best of my recollection, that had it not been for that, the union labor party would have carried that county, and perhaps a good portion of the State.

Q. Did he state to you the originators of the dynamite plot? A. He did mention some names in connection with it.

Q. What names did he mention? A. He mentioned Mr. Greer's name for one.

Q. Any one else? A. Well, I do not recall that he did then.

Q. You may state to the Committee what he said in that conversation about the Coffeyville explosion, and Mr. Greer's connection therewith. A. The conversation, as I recall it, was to the effect that the managers of the republican party had brought about the result, and that Mr. Greer knew all about it.

Q. And Dr. Rude claimed he knew all about it? A. That's the idea I got from him. He said there was no doubt about the State Committee having knowledge, as well as others, of that, mentioning Mr. Greer's name, as I remember, the only name he used in connection with it; and the greater part of the conversation just simply showed what effect it had on the campaign, but that he knew these things to be the case, and that Mr. Greer and others had concocted that scheme to down the union labor party.

Q. Now, in that conversation, did he at any time detail to you the plan that had been adopted to carry out their scheme? A. I don't think he did; there was another gentleman standing by part of the time, and came up, as I recollect now, and nothing more was said about it. Mr. John Ledlie was around there talking—was talking with us from time to time. John Ledlie came there with Dr. Rude.

Q. Now, was there anything said in that conversation with reference to the place where it was the intention to have deposited this bomb? A. I do not recollect that there was.

Q. Was there anything said in that connection or in that conversation with reference to Mr. Upham? A. I do not recall that there was.

Q. Have you stated to the committee all that you now remember that was said by Dr. Rude upon that subject? A. My recollection is that he said the object was to ruin the Vincents and close up the *Non-Con.* office, but he did not say, as I recollect, by what means it was to be done, but the general result of this was unexpected to themselves.

Q. Was there anything said in that conversation concerning what was called the expose of the Videtts and its relation to the dynamite that had exploded at Coffeyville? A. My recollection is, that he referred to the expose as being for the purpose of preparing public mind for what should follow.

Q. And that the dynamite explosion was to follow this expose? A. I did not understand that he expected the explosion at all.

Q. That was unexpected? A. I do not know that it was, but he did not say there was any explosion expected.

Q. Did you have any further conversation with him on the following day upon this subject? A. I do not think I did upon that subject.

Q. You have related to the Committee all that you now remember what was said to you upon this subject? A. Yes, sir.

By Mr. Curtis: Q. At the time of this conversation in September, 1890, to what political party did you belong? A. I was a member at that time of the People's Party.

Q. Was at that time a candidate for any office? A. No, sir.

Q. To what political party did Dr. Rude belong at that time, if you know? A. I understood he was a Republican.

Q. He was a Republican? A. Yes, sir.

Q. Did he occupy any position on the Cowley County Central Committee at that time? A. I do not know.

Q. You know that your political ideas clash, he was a Republican and you belonged to the People's party? A. Yes, sir.

Q. Do you know with whom the doctor stayed on the night before the barbecue? A. He said he stayed in a tent on the grounds.

Q. What time was it you had this conversation with him? A. I would think it was from nine to ten o'clock that night—the evening before the barbecue.

Q. Where? A. Down in the timber where the barbaque was to be held.

Q. Was that on the day of the barbecue? A. On the evening before.

Q. Did Mr. John Ledlie hear any part of that conversation or take any part in it? A. I do not recollect that he did.

Q. You had a pretty general talk with the doctor did you? A. Yes, sir; he and I always talked a great deal.

Q. So the principal thing you talked about was the Videttes? A. Just at that time we was, but we were talking on the general political situation.

Q. Did he say at any time he knew there was going to be an explosion? A. No, sir.

Q. At this same time, or during this conversation, you were also talking about political tricks? A. We frequently talked about them.

Q. You were talking about them? A. Yes, sir; some of the old times together, each one telling the other about the political tricks we had done.

Q. You said you were a member of what party in 1888? A. I could hardly tell; I was in two parties that year. That was the year I quit, if my recollection serves me right.

Q. You say Mr. Greer's was the only name that was mentioned by you? A. To my recollection.

Q. Can you tell the Committee something else that was said between you—the words you had? A. I do not think I can, any more than I have.

Q. You say that he told you he knew this was a political trick? he knew of the matter? A. Yes, sir; my understanding is that it was.

Q. Not the explosion? A. No, sir.

Q. What was it he knew of? A. He knew that this matter had been arranged and spoke of a premature explosion, which prevented the final end which was sought to be obtained, which was, and of course you understand, an exposure of the Vincents as being dynamiters and things in that connection.

Q. Now, then, did he state to you that he knew these things of his own knowledge, or did he draw the conclusion? A. I am very positive he told me he knew of it.

Q. Your own conclusion? A. No, sir; that part is not what he said he knew of.

By Senator Kimball: Q. Knew of what? A. I have explained that once or twice.

Q. I mean now did he tell you that he knew of this bomb being deposited, and the means by which it was done and the object sought to be obtained? Did the Doctor tell you that? A. That he knew of it?

Q. That he knew of this bomb being deposited and that it was to be used for political purposes; did he tell you that in substance? A. Not exactly.

Q. I would like to have you draw the line if you can as to how far he did go in that direction when you say he said he knew of it? A. He said that he knew of the transaction, but he did not tell that he knew that the bomb would be at Coffeyville and would explode there.

Q. Was the word bomb or dynamite used in the conversation between you? A. I do not think it was.

Q. Did not the conversation rather relate to this expose, that he knew it was coming? and that he knew it was to be made and the purpose of it was to destroy the Vincents, and this explosion at Coffeyville interfered with it? A. No, sir; that is not the way he said it.

Q. Was the explosion at Coffeyville talked about? A. My recollection is that it was mentioned.

Q. Well, did he say that he knew of this explosion at Coffeyville, that he knew it would come before it actually took place. A. No, sir.

Q. Did he say that he knew that there was to be a dynamite explosion anywhere before it actually took place, or that in substance? A. He told me that he understood the whole matter of this transaction, but he did not tell me that he knew the absolute particulars and just how it was to be done.

Q. Did he tell you that he knew there was to be a dynamite explosion before it took place? A. No, sir.

Q. You say that he did not say that he knew anything about any explosion of dynamite that was to take place anywhere? A. No, sir.

Q. But when they spoke of the transaction that he did know about, you inferred that it included the dynamite explosion as well as the expose; that is the way you understood it? A. Not the explosion, but the entire transaction.

Q. Will you say that he did not know anything about the explosion? A. No, he did not.

Q. Therefore, it must have been inference upon your part that he intended to include the explosion in that transaction, was it not? A. No, sir.

Q. If he did not say anything about it, how could it be anything but inference? A. Dr. Rude very well knew that I had heard this matter, and he did not think it necessary to explain anything to me about it; he spoke in a general way, as he would to one who had heard about it time and time again, and knew some of the secrets of the transaction.

Q. By Mr. Curtis: I want to ask you if he said anything about the bomb? A. I do not think he did.

Q. By Mr. Henderson: But the plans and the arrangements by which the dynamite was to be delivered in Winfield, he did pretend to say he knew all about that? A. Yes, sir, he said he was familiar with these arrangements.

Q. By Mr. Kimball: Mr. Clover, the word dynamite was not used, was it? A. Not to my recollection.

Q. How is it then, that you just now said, that he pretended to know all about the arrangements which were to result in the dynamite being sent to Winfield? A. I did not understand that he said so.

Q. You just said, did you not, that the Doctor did pretend to know about the arrangement by which the dynamite was to be sent to Winfield? A. Yes, sir.

Q. Just tell the Committee again all that he said about dynamite, giving the words as near as you can that referred to the dynamite. A. I do not think he referred to the dynamite at all, only in a general way.

By Mr. Curtis: Q. Did he say he was familiar with the arrangements—the supposed arrangements or the proposed arrangements? A. My recollection is that he said he knew all about it.

The witness was excused.

THOMAS CLOVER, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Henderson: Q. State your name to the Committee. A. Thomas H. Clover.

Q. Where do you reside? A. Three miles north of Cambridge, Cowley county, Kansas.

Q. Do you remember where you were about the middle of September, 1890? A. Yes, sir.

Q. Where were you? A. I was about seven miles southeast of Cambridge putting up hay.

Q. Who was there with you? A. I was putting up hay by the ton, and had five or six men helping me.

Q. Name the men that were helping you. A. Mr. Winters, Mr. Finney, Mr. Darnell, Mr. Cox; there was a boy, Jimmie Horseman, and Marshall Himelie.

Q. How long were you there putting up hay? A. We were there nearly three weeks.

Q. Were you in camp while you were at work there? A. Partially; living in an old building.

Q. Any family with you? A. No, sir.

Q. Did any of the men who were at work there become injured any while you were at work? A. Yes, sir.

Q. Who was it? A. Mr. Cox.

Q. Were there any physicians sent for? A. Yes, sir.

Q. Who were they? A. Dr. Musgrove.

Q. Anyone else? A. Dr. Tom Rude. I would like to explain here that the doctor was called to another house about one hundred yards from where we were in camp.

Q. At Mr. Cox's house? A. His brother's house.

Q. What time of day or night was it Dr. Rude came to see Mr. Cox? A. Dr. Musgrove came first, about dark, and, as he had no instruments, they sent for Dr. Rude.

Q. What time did Dr. Rude arrive? A. He arrived about 12 o'clock.

Q. What kind of a night was it? A. It was a stormy, rainy, bad night.

Q. How long did Dr. Rude remain there? A. He staid there all night.

Q. Did you sit up that night with Mr. Cox? A. Yes, sir.

Q. How many of you, and who? A. There were four or five of us.

Q. Give their names? A. Myself and Dr. Musgrove, Dr. Rude, Mr. Finney, and, I think, Mr. McNeal and Mr. Cox, part of the time.

Q. Brother of the one that was injured? A. Yes, sir.

Q. While you were sitting up with this sick man, or injured man, do you remember whether the parties there engaged in any conversation in which the Coffeyville dynamite explosion was the subject or topic of conversation? A. Yes, sir.

Q. Did Dr. Rude say, in that conversation, anything about it? A. Yes, sir?

Q. Did he mention the name of the express agent whose family was injured?
A. Yes, sir.

Q. I will ask you to state to the Committee what he said about Mr. Upham.
A. I says: "They run Mr. Upham out of the country," and he said: "They sent him out."

Q. Did he say who sent him out? A. No, sir.

Q. What was said about compensation? A. He said they got something; I do not remember what he said.

Q. That Mr. Upham got something? A. Yes, sir.

Q. Did he say where he obtained it? A. No, sir.

Q. Was the name of Mr. Greer mentioned in that conversation? A. Yes, sir; he said Mr. Greer knew all about it.

Q. What connection did he state, if any, that Mr. Greer had with the Coffeyville dynamite explosion? A. He said: "Mr. Greer knows all about it."

Q. Are you able to state the substance of what he said upon that question? A. To the best of my recollection we were talking along there and we got to talking about the Coffeyville dynamite outrage, and I said, "Don't you believe they meant to blow up the Vincents, and blow up the office there?" and he said "No, that is not the way they meant to do it;" he said that they aimed to go down there—Ed Greer has just got his office reinsured or insurance raised, and it was fixed up that they should find a bomb in the *Courier* office and it should explode in the *Courier* office, but previous to that time they were to have one secreted in the Vincent's office, and as quick as Greer's office blew up they were to rush over to the Vincents and find the bomb that was there, and during the excitement they thought they would either hang or run the Vincents out of town.

Q. Was there anything said in that conversation, Mr. Clover, about the person who had deposited the bomb in the express office? A. Yes, sir.

Q. Well, you may state to the Committee what you remember of that part of the conversation. A. I cannot state that correctly.

Q. Give us the substance of it. A. I think I asked—I know I asked Dr. Rude if 'twas not Mr. Henrie, of Topeka, and he said it was not, and he said he could not think of the man's name, said he had gone out of the country, and could not think of his name.

Q. Did he say where he had gone to? A. West, I think.

Q. Is that all the conversation that you remember? A. Yes, sir; that is all I could state for a certainty.

By Mr. Curtis: Q. Will you be kind enough to name these parties who were present at the time of that conversation. A. Dr. Musgrove, William Finney, Mr. McNeal, and I think probably Mr. Cox.

Q. Who were the principal parties who took part in the conversation? A. I guess I and Mr. Rude was.

Q. That is, the other parties just listened to it? A. Well, Mr. Musgrove spoke up a little once in a while.

Q. Where was the injured party? A. Back on a bed in the same room.

Q. Was he conscious at the time? A. I do not think he was. I do not think he understood what we said at all.

Q. Who waited upon him when he needed any attentioz? A. Dr. Rude and Dr. Musgrove, both.

Q. How did you happen to talk about this explosiou? A. Well, we were sitting sitting up with this man, and we naturally got to talking politics, which run into the Coffeyville explosion.

Q. Who broached that first? A. I could not say.

Q. But Dr. Bode told you that he knew all about these things? A. He said he had the money in his hands and knew all about it. What he meant I do not know.

Q. When was this conversation took place last September. At that time, what political party were you belonging to? A. I belonged to the People's party.

Q. Do you know what party Dr. Musgrove belonged to? A. The Republican party.

Q. Mr. William Fisher? A. People's Party.

Q. What party did Mr. McNeal belong to? A. I could not say; he voted the Republican ticket.

Q. What was the first thing you remember of the doctor saying about the explosion? A. I cannot remember the very first thing he said about it.

Q. Do you remember? A. No, sir; I have stated all that I can remember.

Q. Do you recall Mr. Jones that you began this conversation with the doctor, and he asked those matters that you had talked about, and have told the committee what he said that evening and asked him his opinion about them? A. I could not remember the first of the what spoke about it first.

Q. The witness was sworn.

A. I solemnly swear that I will testify to the truth, the whole truth, and nothing but the truth upon the subject-matter under investigation, testified as follows:

Examination by Mr. Henderson.

Q. Do you desire to go back to the committee. A. S. H. Snyder.

Q. Where do you reside? A. Kingman, Kingman county, Kansas.

Q. How long have you resided there? A. About six years in that county.

Q. What do you do for a living? A. I am National Lecturer for the Citizens' Industrial Union.

Q. What occupation were you engaged in in 1900? A. I was in the newspaper business at that time in politics.

Q. What was the name of your paper? A. *Voice of the People*.

Q. Do you know Mr. Hutchins was the Boon S. Hutchins? A. Yes, sir; I know him personally.

Q. How long have you known him? A. I perhaps knew him first in the latter part of 1900.

Q. How long have you been acquainted with him since? A. Passably so.

Q. Do you remember of hearing of the circumstance of the Coffeyville dynamite explosion? A. Yes, sir.

Q. Do you remember of reading in the Republican press of this city during the election and the campaign of that year, the so-called expose of the Videttes, an exposure of the *Videttes*? A. Yes, sir.

Q. Do you remember of reading in the press, as stated in the former question, the so-called expose? A. Yes, sir.

Q. Do you have any conversation with Mr. Hutchins at any time after the election and the exposure of that Coffeyville dynamite explosion, as well as the publication of which I called your attention? A. I had a conversation with Mr. Hutchins in the spring of '01.

Q. Do you recall the occasion? A. After the election; after the adjournment of the legislature that year.

Q. What was that conversation? A. It was in the office of the *Voice of the People*, Kingman, Kansas.

Q. Who was present at the time? A. Emmet Tiffany and C. L. Swartz; I am not sure that there was any other person present; yes, myself and Mr. Hutchins.

Q. Do you remember now for what purpose Mr. Hutchins came to your office? A. He came to see a copy of my paper—to invest in a copy.

Q. Did he mention the name of the express agent whose family was injured?
A. Yes, sir.

Q. I will ask you to state to the Committee what he said about Mr. Upham.
A. I says: "They run Mr. Upham out of the country," and he said: "They sent him out."

Q. Did he say who sent him out? A. No, sir.

Q. What was said about compensation? A. He said they got something; I do not remember what he said.

Q. That Mr. Upham got something? A. Yes, sir.

Q. Did he say where he obtained it? A. No, sir.

Q. Was the name of Mr. Greer mentioned in that conversation? A. Yes, sir; he said Mr. Greer knew all about it.

Q. What connection did he state, if any, that Mr. Greer had with the Coffeyville dynamite explosion? A. He said: "Mr. Greer knows all about it."

Q. Are you able to state the substance of what he said upon that question? A. To the best of my recollection we were talking along there and we got to talking about the Coffeyville dynamite outrage, and I said, "Don't you believe they meant to blow up the Vincents, and blow up the office there?" and he said "No, that is not the way they meant to do it;" he said that they aimed to go down there—Ed Greer has just got his office reinsured or insurance raised, and it was fixed up that they should find a bomb in the *Courier* office and it should explode in the *Courier* office, but previous to that time they were to have one secreted in the Vincent's office, and as quick as Greer's office blew up they were to rush over to the Vincents and find the bomb that was there, and during the excitement they thought they would either hang or run the Vincents out of town.

Q. Was there anything said in that conversation, Mr. Clover, about the person who had deposited the bomb in the express office? A. Yes, sir.

Q. Well, you may state to the Committee what you remember of that part of the conversation. A. I cannot state that correctly.

Q. Give us the substance of it. A. I think I asked—I know I asked Dr. Rude if 'twas not Mr. Henrie, of Topeka, and he said it was not, and he said he could not think of the man's name, said he had gone out of the country, and could not think of his name.

Q. Did he say where he had gone to? A. West, I think.

Q. Is that all the conversation that you remember? A. Yes, sir; that is all I could state for a certainty.

By Mr. Curtis: Q. Will you be kind enough to name these parties who were present at the time of that conversation. A. Dr. Musgrove, William Finney, Mr. McNeal, and I think probably Mr. Cox.

Q. Who were the principal parties who took part in the conversation? A. I guess I and Mr. Rude was.

Q. That is, the other parties just listened to it? A. Well, Mr. Musgrove spoke up a little once in a while.

Q. Where was the injured party? A. Back on a bed in the same room.

Q. Was he conscious at the time? A. I do not think he was. I do not think he understood what we said at all.

Q. Who waited upon him when he needed any attentioz? A. Dr. Rude and Dr. Musgrove, both.

Q. How did you happen to talk about this explosiou? A. Well, we were sitting sitting up with this man, and we naturally got to talking politics, which run into the Coffeyville explosion.

Q. Who broached that first? A. I could not say.

Q. Did Dr. Rude tell you that he knew all about these things? A. He said he had the cinch on Ed. Greer, and knew all about it. What he meant I do not know.

Q. You say this conversation took place last September. At that time, what political party did you belong to? A. I belonged to the People's party.

Q. Do you know to what party Dr. Musgrove belonged to? A. The Republican party.

Q. Mr. William Finney? A. People's Party.

Q. What party did Mr. McNeal belong to? A. I could not say; he voted the People's ticket.

Q. What was the first thing you remember of the doctor saying about the explosion? A. I cannot remember the very first thing he said about it.

Q. You cannot remember? A. No, sir; I have stated all that I can remember.

Q. Isn't it a fact, Mr. Clover, that you begun this conversation with the doctor, and submitted these matters that you had talked about, and have told the committee was talked about that evening, and asked him his opinion about them? A. I could not say for the life of me who spoke about it first.

The witness was excused.

MR. SNYDER, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Henderson:

Q. You may state your name to the committee. A. S. H. Snyder.

Q. Where do you reside? A. Kingman, Kingman county, Kansas.

Q. How long have you resided there? A. About six years in that county.

Q. What is your business? A. I am National Lecturer for the Citizens' Industrial Alliance.

Q. What business were you engaged in in '88? A. I was in the newspaper business that year as well as politics.

Q. What was the name of your paper? A. *Voice of the People*.

Q. Are you acquainted with one Bion S. Hutchins? A. Yes, sir; I know him quite well.

Q. How long have you known him? A. I perhaps knew him first in the latter part of '86.

Q. Have you been intimately acquainted with him since? A. Passably so.

Q. Do you remember of hearing of the circumstance of the Coffeyville dynamite explosion? A. Yes, sir.

Q. Do you remember of reading in the Republican press of this city during the year 1888, and the campaign of that year, the so-called expose of the Videttes, an organization known as the Videttes? A. Yes, sir.

Q. Do you remember of reading in the press, as stated in the former question, the so-called second expose? A. Yes, sir.

Q. Did you have any conversation with Mr. Hutchins at any time after the election that fall concerning that Coffeyville dynamite explosion, as well as the publications to which I called your attention? A. I had a conversation with Mr. Hutchins in the spring of '89.

Q. That is, after the election? A. After the election; after the adjournment of the state legislature that year.

Q. Where was that conversation? A. It was in the office of the *Voice of the People*, at Kingman, Kansas.

Q. Who was present at the time? A. Emmet Tiffany and C. L. Swartz; I am not certain that there was any other person present; yes, myself and Mr. Hutchins.

Q. Do you remember now for what purpose Mr. Hutchins came to your office? A. He came up to see a copy of my paper—to invest in a copy.

Q. How long was he in the office? A. Perhaps thirty minutes; I would not be certain as to that.

Q. About how long was he in the office before you engaged in conversation about the Coffeyville dynamite explosion and the exposure that I have heretofore called your attention to? A. I do not suppose that he was there any time at all before the conversation began about the expose. Immediately after he came in he got a paper to see what had been published about that.

Q. State what was said upon that branch of the subject? A. We talked rather generally at first about the expose coming out, and especially about the second expose coming out simultaneously all over the state, and I rather intimated that the committee had prearranged the matter for political purposes, and Mr. Hutchins told us that was the intent to have it come out simultaneously all over the state for political purposes.

Q. Did he tell you in that conversation how he came in possession of these things which were published in the republican press of the State? A. No, sir, he did not.

Q. Was that question asked him at all during the conversation? A. I do not remember as to that; it might have been.

Q. Can you now call to mind what he said in that connection about this exposure? A. I can only give the substance about what he said.

Q. I will ask you to state that conversation again, relating, in your own way, all that was said at the time. A. After Mr. Hutchins came in, he asked for the paper; he said he wanted to buy a copy. A general conversation took place between him and those other persons, relative to the expose of the Videttes coming out simultaneously over the State, and we accused him of doing that for political purposes. He answered that he had. I turned very severely on him and remarked: "Bion, the Vincent boys are going to put you in the penitentiary."

Q. Did you state in that connection what for? A. On account of the dynamite explosion at Coffeyville.

Q. Go ahead and state the conversation. A. There was a pause for a few moments and Mr. Hutchins turned rather pale, and after he had gathered himself he said he guessed that they would not. Then the conversation rather mellowed down for a little while, and further on he said he knew much more about the dynamite explosion at Coffeyville than I did, and I said I had no doubt of that.

Q. Was that all the conversation that took place at that time? A. That is the substance.

Q. Did you ever have any other conversation with him relating to the subject matter? A. I have frequently in that year '89 in meeting him; I have told him he knew all about it.

Q. What would he say, or what would be his general appearance, when you accused him in that way? A. He would laugh at me and say it was a good scheme; a good political scheme.

Q. He was occupying it at that time in 1889; what position? A. I think he was assistant coal oil inspector.

Q. I mean in '88, during the campaign? A. As I understand it, he was secretary of the state central committee of the republican party.

By Mr. Curtis: Q. Did Mr. Hutchins ever tell you that he knew about the explosion at Coffeyville, and who put the bomb there? A. He never told me that he knew who put the bomb there; the most he ever said was, he knew more about the Coffeyville explosion than I did.

Q. He never told you what he knew? A. No, sir.

Q. Now, you say that when you spoke to him about it on the streets, he would

tell you that the expose was a good scheme to break up the union labor party—that is, words to that effect? A. Yes, sir.

Q. At that time he referred to the expose, and referred only to the expose? A. In this general conversation it was more specially directed to the expose, I think.

Q. Did he ever, at any time, tell you that he knew about the facts of the explosion at Coffeyville? A. Nothing further than I have related.

Q. At the time he told you that he knew more about it than you did, you had been talking about the expose? A. Yes, sir; we had been talking more about the expose than the explosion.

Q. Do you remember the words you used to him when you referred to the Vincent boys putting him in the penitentiary? A. I can nearly give the exact words.

Q. Well, did you say anything about the dynamite explosion at Coffeyville? A. The interrogatories I propounded to him were relative to the Coffeyville explosion, which was said at that time to be saddled upon the Vincents as being connected with the dynamiters, and they were then engaged in writing a history of the transaction, which came out on the patent side of my paper; this was before they had published the little red-book.

Q. Were you publishing a Union Labor paper at that time? A. Yes, sir.

Q. Who furnished you the patent inside or outside which ever it was? A. H. & L. Vincent of Winfield.

Q. Do you remember just what words you used to him about the Coffeyville explosion upon that occasion? If you do I wish you would relate it to the Committee? A. I said, "Bion, those fellows are going to put you in the penitentiary." I think I had my finger pointed toward him.

Q. Well I will ask you to state what was said about the Coffeyville explosion in that conversation? A. The conversation drifted toward the explosion at the time I addressed him as I have before related.

Q. Conversation between who? A. Between him and myself, Swartz, Tiffany.

Q. And if any other persons were present, them also. A. Yes, sir.

Q. Then you did not tell him they were going to send him to the penitentiary for that Coffeyville explosion? A. I did not mention the Coffeyville explosion in my address to him when it rather unnerved him.

Q. By Mr. Henderson: Counsel asked you the question, that when you said to Mr. Hutchins that the Vincent Brothers would put him in the penitentiary, and he replied "what for;" now, what did you say following that, did you tell him what for? A. The conversation to which I made this particular remark, was relative to the investigating that was being done, rather of the Vincents, than to the dynamite explosion at Coffeyville.

Q. In answer to Mr. Hutchins' question "what for," meaning thereby, what would they put him in the penitentiary for, what reply did you make to him or what was said upon that subject? A. I do not remember that I answered, or said to him what for. After he recovered from the shock of my question, he said "I guess not;" then the conversation drifted away from the Coffeyville business again.

Q. Then you had been talking about the Coffeyville dynamite explosion, prior to the declaration you made to him? A. Yes, sir.

Witness excused.

C. L. SWARTZ, being duly affirmed to testify to the truth, the whole truth, and nothing but the truth, concerning the subject matter under investigation, testified as follows;

By Mr. Henderson: Q. You may state your name to the Committee. A. C. L. Swartz.

Q. Where were you living in 1889? A. City of Kingman, Kingman county, Kansas.

Q. Are you acquainted with Mr. Snyder, the gentleman who was just on the stand? A. Yes, sir.

Q. Are you acquainted with Bion S. Hutchins? A. Well, I know him and have had conversation with him.

Q. You heard the testimony of Mr. Snyder. Did you hear the conversation there in the office referred to by him? A. Yes, sir.

Q. You may state to the Committee that conversation, all of it. A. Mr. Hutchins came in the office and said that he wanted to see a copy of the *Voice of the People* containing the exposure, or history, of the Coffeyville dynamite explosion, which was then running through the *Voice of the People*. I went to the file and got him the papers that he desired to see; He looked through them somewhat hastily; comments were made on them by myself, I think, and the rest of us, all of which I could not remember; I remember that we talked about what effect the expose of the Videttes and Coffeyville dynamite explosion had on the political campaign of 1888. Mr. Hutchins said, in response to some inquiries, I think, that it was a good political move on the part of the republicans to do up the union labor party, or words to that effect. I do not remember just what led up to it, but Mr. Snyder made the accusation to him which he said awhile ago; I think he said, "Bion, they will put you in the penitentiary," or words to that effect. After a little pause, Mr. Hutchins said, "He guessed not."

Q. Anything further said? A. Yes, sir; Mr. Snyder or myself said something to him; cited some circumstance in regard to the expose and the explosion, and Mr. Hutchins made the remark, "That he believed he knew more about that than we did."

Q. About what? A. The expose and the dynamite explosion.

Q. Is that all you remember was said there? A. That is all I can recall.

By Mr. Curtis: Q. It is a fact, is it not, that you at first talked about the expose? A. I do not know that we talked about the expose separate from the explosion.

Q. Did you not talk about the second expose being published upon the same day in the various republican papers over the state? A. I think we did; I will not say positive.

Q. Is it in reply to that statement that Mr. Hutchins said it was a good political movement? A. I cannot remember whether it was at that point exactly when he said that.

Q. You do not remember at what point he said that? A. I do not.

Q. You heard Mr. Snyder's statement, did you not, that he (Hutchins) did say in response to his charge that this publication was made upon the same day, in the various Republican journals, for political effect, that it was done for a political effect? A. As well as I remember, yes, sir.

Q. That was in reference to the second expose, was it not? A. I do not know that it was in reference to that alone.

Q. That was the only history that was being published in the journals throughout the state, was it not? A. I do not remember that it was in reference to that alone.

Q. Is it not a fact that the only thing Mr. Hutchins said about the explosion was that he knew more about that than you people did? A. Yes, sir, he said that, or words to that effect.

Q. Did he at the same time say he knew more about the expose than you did? A. Well, as I understood it the both of them were considered together.

Q. He did not tell you what he knew about the explosion? A. No, sir.

Q. He didn't tell you he had any personal knowledge of it, did he? A. Before or after?

Q. Before? A. No, he did not.

Q. Did he say anything about knowing that a box or bomb had been sent to this place, or would be? A. No, sir.

Q. What party did you belong to at that time? A. I belonged to the union labor party.

Q. Was you also a Vidette? A. Yes, sir.

By Mr. Henderson: Q. What was your politics before you became a union labor man? A. I was a republican.

Q. The last expose of the Coffeyville dynamite explosion occurred upon the same day, did it not—or 18th day of October, '88? A. I think it did, I would not say positively for it has slipped my memory.

Q. Did you understand Mr. Hutchins to say that the Coffeyville explosion was a good political move, or did he refer to the expose which was published in the various papers as being a good political move? A. They were talking about them both at the same time and I understood or supposed that he had reference to both of them; of course he did not say he had reference to any particular one.

Q. He had just before that time been charged by Mr. Snyder with having caused this publication to simultaneously appear throughout the papers in the state for political effect? A. I do not remember whether Mr. Snyder charged him with that or not.

Q. You do not remember that part of the conversation? A. No, sir.

Q. You think he referred to both the expose and the explosion as being a shrewd political move? A. Yes, sir.

The witness was excused.

MR. SNYDER re-called.

Q. In 1888 you were a member of the Videttes? A. I was a member in the latter part of that year only.

Q. What official position did you hold in that organization? A. I think—I know so little about it, I can only guess at it—I think I held some third or fourth rank in the local organization of our town, and I do not know anything about the title, I know so little about the organization.

Q. Were you not a delegate to the Wichita convention? A. As a Union Labor man I was a delegate there.

Q. Were you a delegate to the Vidette's convention, too? A. I don't remember whether I was not.

By Mr. Henderson: Q. What was your political faith in 1888? A. I was independent—known as union labor.

Q. What was your political faith prior to your conversion? A. I had been a hot-headed Republican until the latter part of 1886, when I got my eyes opened.

The witness was excused.

Upon request of Mr. Henderson, Mr. C. L. Swartz and Mr. Tom Clover were finally discharged from further attendance upon the Committee. At his request Mr. Clifford was also excused from further attendance until notified by wire—until next Wednesday morning, unless notified sooner.

Motion was made that Miss Maud Hughes be allowed and paid five dollars per day for services rendered since the Committee commenced taking the testimony in this investigation, such compensation to continue to the end of the investigation,

the same not to interfere with any compensation she may be entitled to receive from private parties for services rendered to them.

Motion prevailed.

The Committee adjourned until Monday, March 2d, at 10 o'clock A. M.

MONDAY, March 2, 1891, 10 o'clock A. M.

Committee convened pursuant to adjournment, a quorum present.

BENJAMIN H. CLOVER, re-called.

By Mr. Henderson: Q. I will ask you to state to the Committee, Mr. Clover, if you remember any persons, other than the persons whom you named in your testimony on last Friday, were present at the time you had a conversation, or the conversation, detailed by you with Dr. Rude? A. Yes, sir; after thinking it over, I think there was another one present.

Q. Who was it? A. L. G. Fryburger.

Q. Is that all? A. Yes, sir.

MR. FRYBURGER, being duly sworn to testify to the truth, the whole truth and nothing but the truth upon the subject matter under investigation, testified as follows:

By Mr. Henderson: Are you acquainted with Dr. Thomas Rude? A. Yes, sir.

Q. Were you present upon Mr. Clover's farm last fall at the picnic or barbecue given there? A. I was.

Q. And upon the evening before? A. Yes, sir.

Q. Did you hear a conversation at that time and upon the grounds between a Mr. Clover and Dr. Thomas Rude? A. A partial one.

Q. State to the Committee what you heard. A. Well, I was standing about thirty or forty feet distant from Mr. Clover, who had left me to meet some gentlemen. They conversed a few moments, and Mr. Clover motioned with his hand for me to come up. I went up, and received an introduction to Mr. Rude; the first time, I believe, I ever met Mr. Rude. The conversation, as they went on immediately after their interruption, as near as I can recall, was pertaining to the explosion of the bomb of Coffeyville.

Q. State what was said. A. Mr. Rude made this statement: "I know certain facts, and I am certain that the bomb which exploded at Coffeyville was to have been received at Winfield and placed under the corner of Ed. Greer's building; that in view of it Mr. Greer had increased his insurance; and following the explosion the Vincent headquarters or office were to be searched and another bomb was to be found therein, and under the excitement incident to the occasion the mob were to make a wreck of Mr. Vincent's office, etc."

Q. Is that all that you heard at that time? A. That is all, because the conversation ceased and we were called to the camp-fire and engaged in talking.

By Mr. Curtis: Q. What time upon that day did the conversation occur, that you heard? A. It must have been 8:30 or 9 o'clock in the evening.

Q. Did the Dr. tell you or Mr. Clover where he was during the fall of 1888? A. No, sir.

Q. Well, he said he knew certain facts? A. Yes, sir; that is my recollection.

Q. Did he say anything to anybody else about it? A. No, sir; not to my recollection.

Q. He said Mr. Greer increased his insurance, did he? A. Yes, sir.

Q. Did he say anything about an explosion? That there was to be an explosion

at Mr. Greer's place, or simply that the bomb was to be placed there? A. The bomb was to be placed in the corner of his building.

Q. Did not say anything about it being exploded? A. Well, except under the corner of the building.

Q. Did he say it was to be exploded? A. So far as my recollection goes, that was the fact.

Q. How long were Mr. Clover and Mr. Rude talking? A. I do not know, I presume twenty or thirty minutes.

Q. Did you hear all the conversation? A. I did not hear the first portion of it.

Q. Heard all after you were introduced? A. Yes, sir.

Q. Mr. Rude was not acquainted with you? A. No, sir; I never met him until that evening.

Q. Just introduced to him at that time? A. Yes, sir.

Q. At that time, to what political party did you belong? A. People's party.

Q. Were you a candidate for any office? A. No, sir.

Q. You knew Mr. Greer was a Republican? A. Yes, sir.

Q. Were you introduced to Mr. Greer as being a member of the People's party? A. I never had an introduction to Mr. Greer at any time.

Q. Did you at that time hold any position on the central committee of your county? A. I did not.

Q. Were you a member of the Videttes? A. I was.

Q. What position did you hold in the Videttes? A. I think I was second lieutenant of a small camp; I might add the camp was at Clay Center; my residence was afterwards at Arkansas City.

Q. What kind of an organization was the Videttes? A. Well, it would take me quite a while to answer that; I would say simply this, that my understanding was that it was a patriotic organization of a military nature, without guns, equipments or anything of that kind.

By Mr. Henderson: Q. When did you join the Videttes? A. I joined the Videttes in the spring of 1888.

Q. What was your political faith at that time? A. Republican.

Q. How long after that were you converted? A. Well, the first time I voted outside of the Republican principles I voted the Union Labor ticket; that was my first departure in 1888.

The witness was excused.

J. M. CONNER being duly sworn to testify to the truth, the whole truth and nothing but the truth, upon the subject matter under investigation, testified as follows:

Examined by Mr. Henderson: Q. You may state your name to the Committee. A. J. M. Conner.

Q. Where do you reside? A. At Winfield, Kansas.

Q. Were you connected with the sheriff's office in Cowley county in '88? A. I was.

Q. In what capacity? A. Under-sheriff.

Q. Do you remember the circumstances of the Coffeyville dynamite explosion? A. Yes, sir.

Q. Did you, as under-sheriff, receive or see any telegrams sent to the sheriff's office the evening of that day? A. Well I can not say that I remember of seeing it but I know there was one sent.

Q. From whom was it sent? A. From the deputy sheriff of Coffeyville as near as I can remember.

Q. State his name if you know? A. Clifford, I think.

Q. Do you remember the contents of that telegram? A. I do not, I think it related to the matter of the explosion.

Q. Was there any other telegram received from Coffeyville prior to the arrival of the train on the Missouri Pacific railroad from the east? A. Not to my personal knowledge.

Q. Did you not receive a telegram early that morning requesting you to meet Mr. Clifford at the depot? A. I was told Clifford wanted to have some one meet him by my brother.

Q. Do you remember of receiving a telegram? A. No, sir.

Q. Were you acquainted with Mr. Clifford? A. I had seen him at the office; never had an introduction or spoken to him as I know of.

Q. You may state to the Committee, what time on the 19th day of October you first saw Mr. Clifford in Winfield? A. It was late in the evening; it was after the electric lights were lighted.

Q. Where did you first see him? A. On the corner of Ninth and Millington streets.

Q. Had you seen him at the office prior to that time? A. I had not.

Q. Were you introduced to him when you met him? A. I think not.

Q. With whom was he in company at the time you saw him? A. It was with Mr. Winton—Joe Winton of the *Courier*.

Q. Who is Mr. Winton? That is, what business was he engaged in? A. He was connected with the *Courier* there.

Q. Was at that time? A. Yes, sir.

Q. Had you seen Mr. Winton at any time during that day prior to the time you saw him with Mr. Clifford? A. I think once before that day.

Q. What time of the day? A. In the forenoon.

Q. About what time in the forenoon? A. As near as I can remember it was a quarter after or half past nine.

Q. Where did you see him? A. Near Ninth avenue.

Q. Near what place of business? A. Well, he was near the express office.

Q. What express office? A. The Pacific express office.

Q. Did you see him go into the office? A. No, sir.

Q. Describe to the Committee what you saw him do there. A. I saw him come out of the office.

Q. That was before the arrival of the train from the east? A. I think the train had got in.

Q. It had just got in? A. The train was at the depot then.

Q. Did you see him any more during the day? A. That was the only time I saw him.

Q. Did you have any conversation with him? A. Not that I remember of.

By Mr. Curtis: Q. Where was you when you saw this gentleman, Mr. Winton, on that morning? A. I was opposite the express office, at Hand & Gary's livery stable.

Q. What was you doing there? A. I was there officially. I had told Rigsby of the express company where I would be in case I should be needed.

Q. You was watching the express office? A. Not particularly the express office, but the party who would call for the package.

Q. Had you told anybody in Winfield about having received the dispatch about the explosion before that morning, except officially? A. No one, except the officials.

Q. Upon that morning that you watched the express office, did you follow any one up town who left the express office? A. No, sir.

Q. Do you know a man by the name of Mitchell? A. Which Mitchell do you mean?

Q. Didn't you afterward go into the express office? A. I do not remember whether I went in after that or not.

Q. Was you informed about any person who was after the package? A. Not exactly that way.

Q. What was you told about it, and what was the party's name? A. When I called at the express office to inform Mr. Rigsby where I would be, he told me about the person who had been there, and he believed knew something about it.

Q. What was the person's name? A. His name was Spencer.

Q. Did you afterwards watch or follow that person? A. Well, he told me where I would find that person, and I went to satisfy myself.

Q. Did you follow him? Yes, sir.

Q. Where did you find him? A. At the *Non-Conformist* office.

Q. How long, after he had been at the express office? A. I could not say; but I went direct from the express office.

Q. When you got to the *Non-Conformist* office, who was talking with him? A. I think Professor Vincent, or his brother.

Q. At that time, was there anything said about the Coffeyville explosion? If there was, tell what it was. A. There was not.

Q. What was said by the parties? A. I just said "hello," and went out.

Q. What was this man Spencer doing when you saw him at the *Non-Conformist* office? A. He was not doing anything.

Q. Who was he talking to? A. To the boys.

Q. Is he the man that the express agent had put you on to as being the one who wanted the express package? A. As knowing something about it?

Q. Yes? A. Yes, sir.

Q. When you were up there, did you hear anything about the explosion or about the dynamite at the office of the *Non-Conformist*? A. No, sir; I did not.

Q. Didn't you hear something said about the explosion at Coffeyville? Were there no questions asked you about it? A. No, sir; there were not.

Q. Have you not told several parties that these parties asked you if you had heard about the explosion? A. No, sir, I never; I told several parties about finding Mr. Spencer there.

Q. Where is Mr. Spencer now, do you know? A. I cannot tell you.

By Mr. Henderson: Q. Did he live in Winfield? A. He did live there; yes, sir.

Q. Were you there at the express office looking for that box that exploded in Coffeyville the day before? A. I was looking for the man that might call for it.

Q. Did you have any information that a box had been sent? A. Yes, sir.

Q. What was that information? A. As near as I can remember it, the telegram stated a decoy box had been sent, resembling and directed the same as the one that had been received in the office at Coffeyville.

Q. Did you find a box in the express office that day? A. I did not look for a box.

Q. Did you find any persons who were inquiring for that box? A. I did not.

Q. Do you know whether such a box arrived at Winfield? A. Not to my personal knowledge.

Q. Do you know from any source? A. I understood from some of the other deputies he had sent it.

Q. How long have you been acquainted with this Pacific express agent and this man Spencer? A. I did not know either one very well.

Q. What business was Mr. Spencer in? A. Sewing machine agent.

Q. Where was his office? A. I could not state.

Q. Do you know where it had been a short time prior to the 18th day of October?
A. I know that he had been in with the express company.

Q. Do you not know as a matter of fact that this agent and Mr. Spencer had some difficulty? A. I did not know.

By Mr. Curtis: Q. Was there not a freight train that came in early in the morning at that time? A. I do not know.

Q. Had Mr. Clifford had time to have arrived on the early train and got up town before you met Mr. Winton down there near the express office? A. I do not think he had had time to get up town.

Q. He might have come up on an early train, might he not? A. I do not remember; I was watching for a passenger train; I knew the express would come on a passenger.

By Mr. Henderson: Q. Did you see Mr. Winton before he entered the express office? A. I do not remember of seeing him before he went in there.

Q. Do you know what he did after he came out? A. No, sir.

The witness, Mat. Conner, was excused from further attendance, and thereupon the Committee adjourned until two o'clock.

TOPEKA, MONDAY, March 2, 1891, 2 o'clock P. M.

Committee convened pursuant to adjournment, a quorum present, and the further taking of the testimony was proceeded with.

Mr. Upham was re-called, and testified as follows:

Examined by Mr. Henderson: Q. Mr. Upham, I will ask you to state to the Committee if after the explosion at your house whether or not there was another box prepared to be expressed to the party designated on the box which had exploded? A. There was a package prepared consisting of one or two bricks wrapped in brown paper, and marked the same mark as on the box destined for Winfield, prepared by my brother and Mr. Clifford and left at my house for me to give to the young man who was attending to the Pacific Express office during my absence; he called at my house during the night, I think some time about four o'clock in the morning, and got that package and took it to the station with the same way-bill that I presume I had prepared and left on my desk the day before. A train went about 4:30 in the morning to Winfield.

Q. Did you go to the depot the following morning? A. No, sir.

Q. Who was, or who is this Mr. Clifford of whom you speak? A. He was city marshal at the time, I think.

Q. Do you know whether or not Mr. Clifford went to Winfield upon the same train that this package was expressed on? A. I do not know as a fact; I do know, that it was so understood, that he was to go on that train.

Q. Did you have any conversation with him afterwards in which he told you he did or did not go? A. I do not remember having such a conversation.

By Mr. Curtis: Q. At what time did you say the passenger train left Coffeyville? A. 4:30 in the morning.

Q. What time did it arrive at Winfield? A. I do not know.

Q. Was there any freight train running over that same road? A. I do not know about these freight trains; I kept no account of them as we did no business with them.

DR. MUSGROVE being duly sworn to testify to the truth, the whole truth and nothing but the truth upon the subject matter under investigation, testified as follows:

Examined by Mr. Henderson: Q. You may state your name to the Committee?
A. R. G. Musgrove.

Q. Where do you reside? A. Cambridge, Kansas.

Q. What business are you engaged in? A. In the practice of medicine.

Q. Do you remember, Doctor, of being at the residence of Mr. Cox, in Cowley county, some time during the month of September, 1890, attending some person who was injured in making hay? A. I do, sir.

Q. Do you remember any other physician who was called with you upon that occasion? A. I do. Dr. Rude.

Q. How long did you remain there together? A. I think he got there about twelve o'clock and we remained there until daylight.

Q. During the time you were in there together, did you have any conversation with him in relation to the Coffeyville dynamite explosion? A. There was a conversation took place, but the conversation that took place was not between the Doctor and myself.

Q. Now, then, you may state who the persons were that were present at that time? A. There was Tom Clover, William Finney, Ed McNeal and myself.

Q. Now you may state to the Committee the conversation as you remember it, and in the order in which it occurred upon that occasion? A. I could not give it in full. I listened to the first and last. I laid down and took a nap and the conversation went on.

Q. Relate that part you heard? A. After the Dr. came, he got a cup of coffee, and got warm; he made the remark that he was in Winfield, the other day; he said he saw Mr. Greer, editor of the *Courier*, and some little words passed; and I do not know the subject, but he gave him a cussing, and called Mr. Greer some bad names. Tom Clover made the remark that it would be rather dangerous, and wasn't he afraid he would get thrashed? Dr. Rude said, "not at all, he was not afraid of Greer." I could not give his words, but it was something similar to having the cinch upon him; after that, the conversation was drifted to the Coffeyville business, the explosion; I took part in that conversation. Thomas Clover asked the question what "he thought about that business;" he did not give his opinion, and I gave mine, and Mr. Clover thought differently; Dr. Rude said "we were both wrong;" he afterwards gave his opinion as to how it was: he said "that if we could remember, we would know that Mr. Greer had raised his insurance previously, and that bomb there was intended for Winfield; that there was to be two; one was for the purpose of blowing up the *Courier* office, and the other to be secreted in the *Non-Con.* building somewhere. After the explosion had taken place, they were to get out a search warrant and search the *Non-Con.* office, as they thought it was an anarchist paper, and they would find the bomb there, and send them over the road," or something to that effect.

Q. Now, what did he say with reference to his anxiety for an examination or investigation of this matter? A. He said that while the republicans were in power he did not think there would ever be an investigation made; he hoped the people would be successful in electing a majority of the legislature so that might be done; he was quite anxious to have the guilty parties punished and would go on the witness stand himself and testify.

Q. Did he tell you in that conversation from what source he obtained his information? A. No, sir, he did not.

Q. Was there anything said in the conversation, if you will remember, about the person or persons who prepared this dynamite bomb? A. Yes, sir; he tried to call his name but said that not having heard it for two or three months he could not remember it. Mr. Clover prompted him and mentioned the name of a certain man

that I cannot now remember; he said that was not the man, that the one he was trying to think of was an expert at the business, and he made it. He tried hard to think of it but failed.

Q. Would you now remember the name that was mentioned by Mr. Clover, if your attention was called to it? A. I do not know that I would.

Q. Was it a Mr. Poorman? A. I can not say that that was the name.

Q. Did he, in that conversation, state where this dynamite had been prepared? A. No, sir, not that I remember; there was a conversation that took place while I was asleep, and I do not know what they said while I was asleep, and when I woke up they were still talking on the same subject.

By Mr. Curtis: Q. I understand you to say that the opinion of Mr. Clover was given, and your opinion, and after that the doctor gave his? A. Yes, sir.

Q. Did he pretend, at the time he gave his opinion, to know the facts of the case? A. He gave them as facts.

Q. Did you know where he was during the fall of '88? A. No, sir, I did not.

Q. Was he in that county? A. I do not know.

Q. Did he pretend he took any part in the preparation of the bomb or anything of that kind? A. No, sir.

Q. Did he give any more than just his opinion, just as Mr. Clover had given his? A. No, sir.

Q. What circumstance did he refer to that made you think that Mr. Greer had increased his insurance? A. He said if we would remember that was the case, that he had increased his insurance.

Q. Did he say that he had increased his insurance? A. Yes, sir.

Q. Did he say that was the fact that he based his opinion on, that he had increased his insurance? A. I do not know that he gave that as a basis for his opinion.

Q. Who did the most of the talking; Mr. Clover or Dr. Rude? A. Dr. Rude.

Q. Clover was the one who asked for the opinion, was he not? A. Yes, sir.

Q. And you say the doctor refused to give his first? A. No, sir; I did not give him a chance; I gave mine first.

Q. And you gave yours first and Mr. Clover next? A. Yes, sir.

Q. How long was the conversation going on? A. From the time he arrived there until about daylight.

Q. He arrived about twelve? A. Yes, sir.

Q. Dr. Musgrove, what are your politics? A. I am a Republican.

The witness was excused.

W. H. Finney, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

By Mr. Henderson: Q. You may state your name to the Committee. A. My name is W. H. Finney.

Q. Where do you reside? A. Cowley county.

Q. Are you acquainted with Dr. Thomas Rude? A. I am not personally acquainted with him; I have known of him for the last ten years.

Q. Were you present at the residence of a Mr. Cox sometime during September last, attending some person who had been injured? A. Yes, sir.

Q. Were Dr. Rude and Dr. Musgrove present? A. Yes, sir.

Q. I will ask you to state if you heard a conversation there between the parties present in relation to this Coffeyville dynamite explosion? A. Well, I did not pay much attention when they were talking, and I was cold and sleepy and I "kind of snoozed;" I got some words as they were going along.

Q. Tell the Committee what you heard of that conversation? A. I believe that

Dr. Rude and Mr. Clover had commenced talking about politics and there was something said about the dynamite explosion at Coffeyville, and Tom Clover said that he believed that the bomb was intended for the *Non-Conformist* office; Mr. Musgrove spoke up and says, he did not believe it was exactly that; I forget just what Mr. Musgrove did say now about what he thought it was, and Mr. Rude then said, "You are both wrong," and then he went on and said what he thought it was; he says, if you will remember a while back, Mr. Greer got an insurance and he said he thought that Mr. Greer was going to blow up his own office, and secrete some dynamite around the *Non-Con.* office, and then get out a search warrant and find it and have them fellows arrested.

Q. What did he say about being desirous of having this matter investigated?
A. He said he wished to God he would investigate it, as near as I can recollect it.

Q. What did he say about the Republican party not investigating it? A. I do not recall that he said anything.

Q. Do you remember whether he said anything about his anxiety to testify in the matter? A. No, sir, I do not remember.

Q. You stated all you remember? A. I believe I have.

Q. Was there anything said about the person who prepared the bomb? A. I do not recollect.

Q. By Mr. Curtis: What did he say about his wishing the People's party success this last fall? in that conversation what reasons did he give for it? A. I do not recollect he gave any.

Q. Did he say that he wished they would be successful? A. I do not think he did; I do not recollect. He said he wished there would be an investigation.

Q. Did he say anything about it would be investigated if the people's party were successful? A. I do not recollect.

Q. Did he say how his sympathies were at that time? A. I do not think he did.

Q. You say he thought that Mr. Greer intended to blow up his own building, then have the *Non-Conformist* office searched, and find a bomb there and have them arrested? A. Yes, sir.

Q. He was giving his opinion as the other parties were? A. I think he was; yes, sir.

Q. Did he pretend to be sure and know about the matter? A. He did not say he was, or that he was not.

Q. Do you know whether or not he was in that county that fall—in the fall of 1888? A. Yes, sir; he was there in that county during that fall. I seen him two or three times over and about Burden.

Q. Do you remember of his going away to a medical college that fall, and not being back until January? A. I do not remember exactly what time now; I seen him two or three different times early in the fall, and he might have gone to college, too.

Q. What, if anything, did Mr. Rude say about Mr. Greer? A. Well, he said when he ran for county superintendent that fall, and Mr. Greer wanted him to pay \$150 to work for him and he would not pay it, and Mr. Greer worked against him and defeated him; and he said he cussed Mr. Greer, and swore at him, and called him a good many bad names; then he talked as though there was not a very good feeling existing between him and Mr. Greer, and he said he did not like Mr. Greer at all since he treated him that way.

Q. Did he say anything about being afraid of Mr. Greer? A. No, sir; he said he was not afraid of him.

The witness was excused.

C. A. HENRIE, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject matter under investigation, testified as follows:

Examined by Mr. Webb: Q. Mr. Henrie, how old a man are you? A. Thirty years of age.

Q. What is your native State. A. Illinois.

Q. At what age did you leave that State? A. I think the first time I left it to stay away any length of time was probably when I was about five years of age.

Q. You are now a resident of this city? A. Yes, sir.

Q. Have been for how long? A. I think it was '84 when I first came here to make my home.

Q. This has continuously since then been your home? A. With the exception of once, I think my family have been here all the time.

Q. Immediately before you came to Topeka where did you reside? Emporia.

Q. Were you there for any considerable period? A. Seems to me I was there about two years.

Q. And during the time of your stay there what was your vocation? A. Printer.

C. Upon removing from Emporia to Topeka, did you resume the practice of your art as a printer? A. Yes, sir.

Q. In what office, if any, were you employed? A. I know I first worked on the *Daily Capital* when I came here. I think the shortest way to put it would be to say I was employed on the *Capital* or some other newspaper in the city.

Q. All the time? A. Yes, sir, I think I was up until the strike on the *Commonwealth*. I can not recall the year that occurred in.

Q. At the time of its occurrence were you in its employ or at work on that paper. A. Yes, sir.

Q. Did that strike sever your connection with the *Commonwealth*, or did you personally continue right along? A. No, sir; I never have worked there since the strike.

Q. Have you been at any time engaged in the publishing of a paper here yourself? A. Yes, sir.

Q. When was that paper founded? A. Do you mean when was my first connection with it?

Q. When did you assume control of it, if it had been in existence before that time? A. I think it was in March, 1887.

Q. And you continued to publish that paper for how long? A. Until 1888.

Q. About what time in the year? A. I think the last issue I got out was in August, if I remember correctly.

Q. Did the paper then suspend, or did it pass into other hands? A. Well, it suspended, it died.

Q. What was it called? A. When I first took hold of it, it was called the *Labor Chieftain*. I changed the name to the *Topeka Post*.

Q. Was it a political sheet? A. Well, before I answer that question you must define what you mean by a political sheet.

Q. Was it the exponent of the principles of any organized party? A. Not when I first took hold of it.

Q. After its reform and name changed, did it espouse any principles? A. Not until shortly before its death.

Q. Did it then become the advocate of the principles of Republican or Democrat? A. No, sir.

Q. Was it the exponent or advocate of the principles of any new organization? A. It was.

Q. What was it? A. It was the United Labor party.

Q. Might it properly have been denominated a Union Labor paper? A. No, sir.

Q. The Union Labor Party was not the United Labor Party? A. Well, there was a distinction between the Union and the United Labor Party. I might state that at one time during the fall campaign, it supported the Union Labor County ticket; that was prior to this time I speak of.

Q. Was that before you assumed the control of it? A. It was after.

Q. Only one fall campaign that you had control of the paper? A. Yes, sir. That supporting of the Union Labor Party was a purely local affair; it was never considered as an exponent of the Union Labor doctrine.

Q. After severing your connection with that paper in August, 1888, did you then connect yourself with any other paper either as employe or otherwise? A. Yee, sir.

Q. What paper, after that, were you immediately associated with? A. The *Capital*.

Q. And continued in its service for how long? Until March, 1889.

Q. Since then have you been at work upon any paper, or at the case in any office? A. No, sir.

Q. What have you been doing? A. I have been working for Frank Betton.

Q. Do you remember whether during the campaign of '88, the political campaign which prevailed in this state, you took any part in the canvass and was personally over this state at various times in different directions in connection with the political interests? A. Well, generally speaking, yes.

Q. Do you remember what places, in that connection, you visited during that campaign? A. Yes, I think I do.

Q. You were not engaged in the services of the republican party during the time that you were publishing your own paper here, were you? A. No, sir.

Q. And until your paper suspended it was not the advocate of either republican principles or republican candidates, was it? A. No, sir.

Q. You entered into the service of the *Capital* very soon after your paper suspended? A. Well, yes.

Q. In what capacity were you employed upon the *Capital*? A. Setting type.

Q. Simply working at the "case?" A. Yes, sir.

Q. Not local editor? A. No, sir.

Q. That is a Republican paper? A. Yes, sir.

Q. Was then? A. Yes, sir.

Q. About what time did you engage in its service, or upon it? A. Well, that is rather a hard question for me to fix the date, for the reason that I simply "subbed" there; my health was poor and I did not work very regularly; whenever I was able I would show up there for work, and some fellow would put me on. Sometimes I would work two or three nights in a week, and again I would not be there for a week.

Q. Can you state about the time when your connection with that paper began? A. It was shortly after, a month or six weeks, I presume.

Q. After your paper suspended? A. Yes, sir.

Q. Was it in the month of September? A. Well, I could not say as to that.

Q. Well, after your paper suspended, and before you engaged upon the *Capital*, were you continuously in this city? A. I think I left the city once or twice.

Q. And where, upon these occasions, did you go? A. Well, I went to Winfield once.

Q. Was that the first occasion of your having gone from the city? A. I do not remember.

Q. Is it the only place to which you did go, after your paper suspended, and after you engaged in the service of the *Capital*. A. I cannot state definitely

whether it was or not. It is possible I worked on the *Capital* before I went home to Pottawatomie county.

Q. Did you go to New York in the month of September, '88. A. Yes, sir, I did.

Q. At what time in September? A. My remembrance is I left here along about the 10th or 12th of September.

Q. And returned at what time? A. About three weeks after.

Q. Then you did not get back until about the first of October? A. That would bring it about the 1st of October.

Q. You remember of going to Winfield at what time? A. It was in the early part of October.

Q. Do you remember the precise time? A. Well, I remember, as I have seen it in the newspaper stated as the 9th of October.

Q. Do you remember the facts yourself, as to the time you were in Winfield? A. No, sir; I remember it as it was bandied back and forth in the newspapers; I have no way to fix the date.

Q. When you left Topeka for the purpose of going to Winfield on that occasion, how long were you away from this city? A. It appears to me as I remember it now that I left here on the 7th of October; at any event it was immediately following Dr. McGlynn's lecture here. It, I think, was on the 6th of October. I went with him to Kansas City in the afternoon, and if I remember correctly the night of the same day that I went to Kansas City with Dr. McGlynn I went to Winfield.

Q. What is your remembrance as to the hour of the day that you arrived at Winfield? A. In the morning; now it is possible that I came back to Topeka direct from Kansas City and went from here to Winfield, but my remembrance is that I went direct from Kansas City to Winfield.

Q. What is your recollection as to the time of day and the train upon which you left Kansas City for Winfield? A. If I left Kansas City for Winfield I went over the Santa Fé, or if I went from Topeka I went over the Santa Fé.

Q. Was that the road over which you did go? Would you have gone upon the same train so as to reach Winfield at the same hour whether you started from Topeka or Kansas City? A. No, sir; I think not.

Q. If you came back here then you must necessarily have taken a later train than the one which you might have come from Kansas City on? A. Yes sir; I think that is right.

Q. Do you remember now the day upon which you arrived at Winfield? A. The day of the week?

Q. Yes, sir. A. No, sir.

Q. Do you remember the day of the month? A. Nothing further than I have already stated.

Q. That you was reported to have been there on the 9th? A. Yes, sir.

Q. How long did you remain in Winfield upon that occasion? A. I remained there from the time I got there in the morning until—well, it was just before sundown or dark—late in the day.

Q. Do you remember a particular mission which took you to Winfield at that time? A. Yes, sir.

Q. Then, does not that enable you to fix with precision the time of your arrival in that city? A. No, sir; the particular date would have no connection with the business that I had at that time.

Q. Do you remember whether you went on the Santa Fe, via Newton and Wichita? A. I do not remember whether I went by the way of Wichita or not; I remember Newton.

Q. At what time were you at Newton on that trip going south? A. I think it was before daylight.

Q. Where did you get your breakfast that morning? A. I do not think I ate any breakfast; I do not remember.

Q. Do you remember whether you made any stop at Newton? whether you got off there? A. No, sir; I do not remember of making any.

Q. Are you able to state, for a certainty, whether you did get off the train at Newton or not? A. No, sir.

Q. Do you know George W. Poorman? A. I have seen the gentleman.

Q. He is almost a stranger to you? A. Very much of a stranger, very much.

Q. Do you remember when you first saw him? A. Yes, sir.

Q. When was it? A. It was in Topeka, in the Windsor hotel, in the early part of October.

Q. Of what year? A. Of 1888.

Q. Do you remember when, after that you next saw him? A. Yes, sir.

Q. When was it? A. It was the day I went to the Santa Fe depot to meet Dr. McGlynn, which if I remember correctly, would be the 6th of October, 1888.

Q. Where was he then? A. He was standing on the platform of a passenger car that had just come in.

Q. Was it about to go out? A. It was on the side-track waiting, apparently, for another train to pass.

Q. And that train when moving, was going in what direction, east or west? A. I do not remember, I think east.

Q. That is the day that you went with Dr. McGlynn to Kansas City? A. No, sir.

Q. The day, upon the night which he delivered his address here? A. Yes, sir.

Q. When did you next see Poorman? A. I never have seen him since that time.

Q. Have not been in correspondence at any time since then? A. No, sir.

Q. You came back from New York about the first of October, immediately made your trip to Winfield, and returned here? What time did you get back to Topeka, after your trip to Winfield? A. Well, it was some time in the morning, the morning of the 10th.

Q. You came in on the same road that you went out, that is, over the same road, the Santa Fe? A. Yes, sir.

Q. And from that time on what were you doing for the next ten or twelve or fifteen days, and where were you? A. I think I devoted myself from that time until the 18th of October in writing the Vidette expose.

Q. And you were doing that in your rooms in this city? A. Yes, sir; doing that in this city.

Q. Well, during the time that elapsed after having entered upon that exposure, until you had completed it, did you leave town? A. I do not remember whether I did leave or not; if I did, it was for a very short period.

Q. You do not remember that you left at all during that period? A. Not at this writing.

Q. Of course you can tell where you did go. A. No, sir.

Q. You speak of having been in Pottawatomie county; when was it that you went there? A. 23d of October, I think.

Q. You left this city for the purpose of going there? A. Yes, sir.

Q. Did you reach that destination the same day you left here? A. Yes, sir.

Q. How long were you absent from this city before you returned to it? A. The following Monday I returned; I think it was the following Monday.

Q. Do you remember the day of the week upon which you went home? A. It appears to me now it was Thursday.

Q. Your recollection is that you left on Thursday and returned on Monday? A. It must have been later, for I was gone a week, Monday or Tuesday; it was Thursday when I left.

Q. You have no means other than a general recollection to fix the time you either departed or returned to this city? A. I have some papers; that is, from the daily papers I could fix the dates positively at that time.

Q. Have you that paper with you? A. No, I have not.

Q. You say you were engaged in preparing the expose which was published in the paper of Mr. Greer. Is that the one you mentioned as having been employed in preparing; the one which appeared in Mr. Greer's paper of the 18th of October? In the preparation did you have any aid or assistance? A. Yes, sir.

Q. Who was engaged in assisting you in its preparation? A. Mr. Greer and Mr. Hutchins.

Q. They only, or were there others? A. I presume there were others, however, I do not remember.

Q. About how long were you engaged in its preparation? A. As I have told you, from the time I returned from Winfield until a day or two before it appeared.

Q. When had you seen Mr. Greer last before your visit to Winfield? A. I never saw him in my life before.

Q. When did you see him next, after you returned from Winfield? A. Very shortly, I think, within two or three days.

Q. Where did you then see him? A. At the Windsor hotel, in Topeka.

Q. Your recollection is that you returned from Winfield on the morning of the 10th of October? A. Yes, sir, providing I was there on the 9th, I returned the next morning after I was there.

Q. State whether Mr. Greer came to Winfield with you? No, sir.

Q. State whether he came here on the evening of the same day, that you got here in the morning? A. No, sir.

Q. When did he come? A. Well, as I said, it was two or three days after.

Q. Do you know at what time he arrived here, what hour in the day, I mean? A. No, I do not.

Q. Do you know at what time you first saw him here? A. My recollection is, it was shortly after dinner, and the place, the Windsor hotel.

Q. At what room, or at what particular place in the hotel did you see him? A. It appears to me that the room was on the third floor, one of the ordinary bed-chambers of the house.

Q. The room occupied by you? A. It was occupied by me in writing that matter that, is all.

Q. He came to your room; did he come alone or in company with some one? A. He was in company with Mr. Hutchins.

Q. State whether you saw Henry Booth upon that occasion. A. I saw Mr. Booth nearly every day.

Q. Did you see Mr. Greer in company with Mr. Booth? A. No, sir.

Q. Were you in consultation with these gentlemen and Hutchins during the time of Greer's stay in the city? A. Who do you mean by these gentlemen?

Q. The only two I mean were Greer and Booth; were you in consultation with these two gentlemen and Hutchins during Greer's stay there? A. Not at any one time; no, sir.

Q. Were you in consultation with either of them during Greer's stay here? A. The only two gentlemen I consulted with was Mr. Greer and Hutchins.

Q. Did you have any conversation with Mr. Booth in reference to the expose at any time. A. Probably so.

Q. You are in very serious doubts whether you were or not; did you talk with him? A. I think I did.

Q. How frequently? A. Not very frequently, if at all.

Q. Do you remember where you had had any conversation with him upon that subject, upon your visit to Winfield? A. I do not remember.

Q. In fact, you do not remember that you had any conversation with him upon that subject? A. No, sir.

Q. And you are really of the opinion that you did not. A. No, sir.

Q. What do you think about it? A. I think I did.

Q. When was it? A. I suppose during the course of its preparation.

Q. If you do not remember anything about it, I wish you would tell me what makes you think so? A. Because it is very natural I should have a conversation about it, seeing him as much as I did, and he being as familiar of it as he was, and I being there preparing it.

Q. Do you know of an organization commonly known as the National Order of Videttes? A. I have heard of such an order.

Q. Are you a member of it? A. I do not think I am.

Q. Were you at that time a member of that order? A. I am not in a position to say yes or no, for the reason that the organization, so far as I know anything about it, was of a very brief character, and "kind of died a bornin." I do not know whether the records would show that it was a legal organization, and that I was a member of it, or not.

Q. Mr. Henrie, did you understand this order of Videttes to be a secret order? A. Yes, sir.

Q. Did it have its signs, and signals, and grips, and words by which one member may know another? A. So I was informed.

Q. Did it have a ritual, a ceremony that might be called an initiatory service? A. So I was informed.

Q. Now then, let me ask if you, yourself, have ever undergone that initiatory process of the order? A. Partially so; I do not understand that I have taken it all.

Q. Did you have what is known as the secret work of the order—its grips, signs, and words, and means of communication with its members? A. Well, do you mean that I have ever had the password?

Q. Yes, sir. A. No, I never had the password.

Q. Did you have any key which enabled you to decipher its work so that you could read and understand? A. Nothing, except by word of mouth.

Q. How did you get into the Wichita meeting of this order? A. I did not know I was in the meeting of this order; the only meeting I have attended at Wichita, I walked in the same as I did in this door.

Q. And there was a test applied to you to see if you were fit to remain there? A. No, sir, there was no test applied at all.

Q. Did you go in by yourself, or in company with others? A. I went in company with some others.

Q. Who was there? A. I do not remember; some that I was acquainted with.

Q. Give one of them. I do not know that I could.

Q. You had the ritual of the order, did you not, in pamphlet form? A. No, sir; I do not think it ever was in my possession.

Q. Did you ever see it? A. I saw it since the expose.

Q. You did not have it during the time you were preparing the expose? A. No, sir.

Q. Do you know of an order which is called the International Working People's association? A. I have heard of such an order; Yes, sir.

Q. Did you ever have any membership in it? A. No, I think not.

Q. Did you have any knowledge of its secret work? A. No, sir.

Q. Did you have any conversation with these members, or persons who represented themselves to be members? A. Yes, sir.

Q. Did they tell you what were the obligations that were imposed upon the members? A. Yes, sir; I think I have been told. You asked me of obligations? I do not think I have ever been told of any obligations; I do not think there were any obligations. I distinguish between an oath and an obligation.

Q. Do you know anything of the International Workingmen's Association? A. Yes, sir.

Q. Is that the same as the International Workingpeople's Association. A. Not as I understand it.

Q. It is a distinct and separate organization? A. Yes, sir; as I understand it.

Q. Are you familiar with the workings of each? A. As it has been told me.

Q. Did you never belong to either? A. I think I had a membership in one.

Q. Which one? A. The International Workingmen's Association.

Q. What did the association designate its meetings—lodge, chapter, or what? A. No name you have mentioned.

Q. They had their place of meetings? A. Yes, sir.

Q. Were you in the habit of attending their meetings? A. I presume I did attend some of them, yet I would not state positively.

Q. Was it under the auspices of this organization that the anarchist Parsons was here from Chicago? A. No, sir, so far as I know.

Q. You knew Parsons? A. I met him while he was here.

Q. Was he not an employé of yours on your paper? A. No, sir; I was not running a paper at the time.

Q. Did he work with you upon some other paper? A. No, sir.

Q. Were you present at some public meeting which he addressed in this city? A. I was present at two meetings which he addressed in this city.

Q. Did you preside over either? A. I have been informed that I did.

Q. What do you know yourself? A. I have forgotten, but I presume that I did.

Q. Well, you say he was not here under the auspices of either of these organizations, the Videttes, or the International People's Association, or the Workingmen's Association? A. I could not say it was not the Videttes, for I do not know.

Q. Do you know at what time the organization of the Videttes was first established? A. Do you mean in Topeka?

Q. Anywhere on earth? A. No, sir; I do not know.

Q. When did you first know of the existence of such an order? A. It seems to me it was in the summer or fall of 1887. Possibly it might have been later.

Q. When was it when Mr. Parsons was here? A. I think it was in '85—July 9, '85.

Q. How do you designate the meeting place of the Videttes, the International People's Association, and the International Workingmen's Association? I want to know how the members of either would designate the gathering place or meeting? A. I do not know, I am sure; I could not give you that information.

Q. Have they any such thing as council in the Videttes? A. I do not know, that is, from personal knowledge.

Q. In the expose that you prepared for publication, there is recited what is represented to be the obligations assumed by the members of the Order of Videttes is there not? Yes, sir.

Q. Do you know of any work of the order, which contains such obligation as is there set out? A. Part of it.

Q. Part of it is not there is it? A. Part of the work of the Videttes set out in

that ritual is a part of it. Part I knew to be the work, as I was so informed, and part of it I knew nothing about.

Q. Did you see in print what purported to be the ritual and ceremony of the order of Videttes? A. Not until I saw it in this book here.

Q. Is it in that book as you had it set out in that paper. A. I do not know; I presume it is. That work is the same work which appears in the expose, and so far as I know was copied from the paper and not from the book, that is, we copied it from Mr. Greer's paper and not from the book.

Q. Did you compare it with the book? A. No, I did not.

Q. You say, Mr. Henrie, that you remember the mission upon which you visited Winfield on the 19th of October, 1888? A. Yes, sir.

Q. Will you tell me, now, at whose instance you went there? A. Yes, sir.

Q. Well, do so. A. I went there at the instance of Mr. Booth or Mr. Hutchins, one or the other, I forget which.

Q. Are they the only gentlemen with whom you talked about going away before you did go? A. No, I think not, I think I had some conversation with Mr. Wakefield concerning going there.

Q. Do you remember any others? A. No, sir; I do not remember anybody else—and I am not very sure about him.

Q. Now, what was the purpose concerning which Mr. Booth and Hutchins talked with you about going there? What was the purposes they consulted you about? A. The *Courier* had, early in the month, publish what purported to be the ritual of the Videttes, and the question that Mr. Booth and Hutchins and I discussed, as I understood it when we conversed about the matter, was to know whether or not that expose, as it was called, was having any effect on the minds of the people, and they desired that I should go and see what was the public feeling in regard to it.

Q. How soon after they first mentioned the subject to you did you go? A. I do not remember; it was within a very few days.

Q. Was that the same subject upon which you talked with Mr. Wakefield? A. No, sir.

Q. What was the subject you talked with him upon? A. At that time I was national committeeman of the united labor party, and 'twas with either him or Dr. McGlynn that I had a conversation in which the plan was brought up that the union labor party should put up two presidential electors upon the union labor ticket, and in going to Winfield that was one of the things I desired to lay before the Vincent Brothers, and as they were considered prominent leaders of the union labor party, as to whether or not such a thing could be done.

Q. Was that really your purpose in part in going to Winfield to see the Vincents, and the other part was to see who? A. Well, it was to see anybody that I might meet there.

Q. Was it a special mission to see the Vincents? A. My own special mission.

Q. Did you go to Winfield at your own expense, or were your expenses borne by some one else? A. I had a pass over the Santa Fé which came through my newspaper business, and Mr. Booth and Mr. Hutchins, or the committee, paid my hotel bill, or gave me money to pay it.

Q. At that time, were you acquainted personally in Winfield with anybody. A. No one except the Vincents.

Q. You had met them before? A. Yes, sir.

Q. Who did you see to talk with while you were in Winfield upon that occasion? A. I do not remember all that I saw; I saw quite a number at the *Non-Conformist* office whose names I do not remember.

Q. You stopped at what hotel? A. I got dinner at the Bobbitt House.

Q. You visited what other places while there? I mean offices, banks, stores? A. I was in the postoffice—the front part of the postoffice, in Mr. Greer's office, and at the depot, and on the streets some.

Q. At the *Non-Conformist* office? A. Yes, sir.

Q. Did you have conversation on the streets with any other people of Winfield?

A. None except a conversation I had while walking to the depot.

Q. With whom? A. Mr. Moore, and I think Professor Vincent. It was Henry or Leo.

Q. Were you at the *Non-Con.* office more than once while you were in town? A. I went there in the morning.

Q. Before you visited Mr. Greer's office? A. Yes, sir.

Q. Do you remember now with whom you talked at the *Non-Con.* office upon your first visit there? A. I know I talked with a good many, but the only persons I could call by name were the Vincents and Mr. Moore.

Q. Mr. Moore was then at work there? A. I do not remember.

Q. You saw him there? A. Yes, sir, I saw him there.

Q. Do you remember distinctly which among the three Vincents you talked with? A. Not distinctly.

Q. What is your recollection? What is your best judgment? A. My best judgment is I talked with Leo and the professor. I am positive that I talked with Leo from the fact that his hand was sore and we had some little conversation about that.

Q. Then you do not remember, as I understand you, that you had any conversation with Henry? A. No, I do not hardly think I had.

Q. You knew them before? A. Yes, sir.

Q. Are you not mistaken as to whether it was Professor or Henry that you talked to? A. It is quite possible it was Henry, I am not sure.

Q. When you were about to leave the city on your homeward trip did you see either of the Vincent Brothers at or near the Santa Fé depot? A. I think one of them walked to the depot with me.

Q. Is that the same one that you had talked with in the office. A. I do not remember.

Q. Can you state now the subject-matter of your conversation with the Vincents or Mr. Moore at the *Non-Conformist* office? A. We talked of pretty nearly everything.

Q. Did you have any conversation with them upon the subject of your visit there, which was the furnishing of electors names or the candidates for electors upon some ticket? A. Very little, for the reason that they were excited about something else that was going on at that time, and did not seem to take any stock in the matter.

Q. What was the subject over which they seemed excited? A. It was the expose.

Q. Did you converse with them upon that subject? A. I didn't do much talking; they did a great deal.

Q. Do you remember substantially what was said? A. Well, they said among other things that they knew there was another expose coming, and they wondered what news Greer would have.

Q. Just as fully as you remember, state what was said by them or you, or either of you, upon that subject? A. Well, I think that is as much as I can remember, that I could state definitely of what was said.

Q. Did you make known to them any business affairs or interest with which you were connected? A. Yes, sir; I think I had some talk concerning the probabilities of the newspaper that I was connected with, living, also something concerning the *Newspaper Union*; I think we talked about that as well as other matters.

Q. Do you remember whether you represented yourself as being engaged in representing any business house or company to the Vincents? A. No, sir.

Q. You had some conversation with them concerning your visit to the *Courier* did you not? A. My recollection of that matter is that just prior to the time of going to dinner one of them said to me—I will state, by the way, that I was going to dinner with one of the them; I do not know which one now—that I had not better go to dinner with them as they wanted me to go and see Greer, and they were desirous of knowing what he was doing about the next expose that he was going to get out.

Q. Well, state fully what Mr. Vincent said to you or Mr. Moore? A. Well, I do not know which one it was, but I demurred somewhat about going to see Mr. Greer, as I never knew the man before, but they insisted as I was a stranger in the city and by saying to Mr. Greer that I was a newspaper man, I would probably get hold of some facts that they were not acquainted with, and as I went down the steps to dinner, there was an understanding when I left that I should go to the hotel for dinner, and afterwards go and see Mr. Greer.

Q. Was there any understanding that you were again to see the Vincents? A. Yes, sir.

Q. What was your arrangement in that respect? A. After I had seen Mr. Greer I was to meet them, one of them and perhaps Mr. Moore, and tell them what Mr. Greer had said to me.

Q. Was a place designated where you were to come? A. I do not remember, but my opinion is that we were to meet outside of the office.

Q. Did you communicate to either of the Vincents or Moore that you were there at the instance partly of Booth and Hutchins? A. No, sir.

Q. You went over to see Greer? A. Yes, sir.

Q. Did you tell Greer that you were there at the instance of Mr. Booth and Mr. Hutchins? A. No, sir.

Q. Or that you had had any conversation with them or either of them concerning your being there? A. No, sir.

Q. Did you have any understanding with Greer at that time as to when he would be at Topeka? A. No, sir; the subject of Topeka was not mentioned between us.

Q. Did you talk any with him concerning the expose that was published on the 4th of the month? A. Yes, sir.

Q. Did you have any conversation concerning that which was to follow? A. No, sir.

Q. Any understanding at that time in reference to the preparation of the matter which appeared in the publication of the 18th? A. None, except to mention the fact that he was preparing something, or insinuated that he was preparing something.

Q. Your visit to Winfield upon that occasion was really in pursuit of information, was it not? You went down there for the purpose of acquiring additional information upon some subject concerning which you wanted to write? A. No, I hardly think that is the right way to state it.

Q. Did you make any inquiry after information pertaining to a meeting at Wichita? A. I do not remember whether I did or not.

Q. Do you remember asking at the *Non-Con.* office, addressing your remark to Moore and Vincent both about the proceedings of the Wichita meeting to which they replied, "That they had never been published?" A. No, sir.

Q. You do not remember that? A. No, sir.

Q. Well, are you able to say what did take place there or to state if the conver-

sation occurred? A. No, sir; I do not remember whether it did occur or whether it did not.

Q. Do you remember at what time of day you were in Pottawatomie county?
A. As I have said, it was the week following the 23d of October.

Q. Had you been there at any earlier period of that year, during the month of July or August? A. I cannot remember; it is quite possible that I had, as my parents live there.

Q. (Handing witness Exhibit Nine.) Do you remember of having seen that paper at any time before? A. Yes, sir.

Q. At what time did you first see it? A. I do not remember the first time I saw it.

Q. About the time? A. Along early in October, before the middle.

Q. Who then had it? A. My recollection is that no one had it; it was lying on the table.

Q. At what place? A. In the Windsor hotel.

Q. In what particular room? A. The room I have spoken of before, it being Mr. Hutchins' room.

Q. As compared with it now, what was its condition then? A. I suppose you refer to this name being gone?

Q. Yes, sir, I do. A. I can not state positively as to that.

Q. Well, have you any recollection upon the subject? A. No, sir.

Q. Do you know the individual whose name is subscribed at the bottom? A. No, sir.

Q. If I read it correctly, is it E. D. Orr; do you read it that way? A. No; if I was to interpret that signature, as a man who has handled all kinds of manuscript, I should say, it is E. D. Ore.

Q. Do you know a man of either name, E. D. Orr or E. D. Ore? A. No, sir.

Q. Are you acquainted at Albany, this state? A. No, sir.

Q. At New Albany? A. No, sir.

Q. Any acquaintance in Greenwood county at all? A. No sir.

Q. That is the county in which New Albany is, is it not? A. I do not know.

Q. You saw this paper lying on a table in a room mentioned by you in the Windsor hotel? A. That is my best recollection.

Q. Well, you were engaged in preparing a matter for publication; the matter known as the expose? A. I do not remember just when it was; it was either during or at the time.

Q. Do you remember by whom your attention was directed to this paper? A. I do not think my attention was specifically called to that paper.

Q. Simply found it there and noticed it? A. Well, there was a mass of papers on this table, one thing and another.

Q. Was this paper a part of this mass? A. Yes, sir, it was.

Q. Whether the name that seemed to have been cut out of there was then in or out, you do not remember? A. No, I do not.

Q. Did you have any conversation with any person there at the Windsor hotel in reference to this paper? A. I do not remember.

Q. Do you know by whom it was furnished there at the room? A. I do not.

Q. Whether brought there by Hutchins, Booth or some other body? A. I do not.

Q. Did you ever have any talk with either of them as to the person whose name had been taken out of it? A. I think we have; the last few days there has been some conversation about it.

Q. Between yourself and whom? A. Mr. Hutchins.

Q. Well, in that conversation, did Mr. Hutchins tell you where he got the paper?
A. I do not remember.

Q. Did he tell you from whom he got the paper? A. I do not remember whether he did or not.

Q. Did he tell you whose name had been in it? A. I do not remember whether he did or not.

Q. Did he tell you whose name had been taken out? A. I do not remember whether he did or not?

Q. Did he tell you who took the name out? A. I do not remember whether he did or not.

Q. Do you remember anything that he did say about it? A. Yes, sir.

Q. Tell me what it was. A. Well, he said you fellows would like to know mighty well who it was.

Q. He told you in connection with that, that when he was interrogated about it he would tell us about it, didn't he? A. I do not know whether he did or not; the conversation Mr. Hutchins and I have had in regard to it lately has been entirely in a joking manner.

Q. You returned from New York about the 1st of October in the year 1888? A. Yes, sir.

Y. How soon after that did you again go east? A. I have not been east since.

Q. When did you last go east of the Mississippi river? A. I have not been east of the Mississippi river since that time.

Q. Are you acquainted at Bellaire, Ohio? A. I am not.

Q. Have you ever been there? A. I have not.

Q. Have you at any time gone through there upon the train? A. What road is Bellaire on? If it is on the O. & M. road, I probably have, if not, I do not think I have.

Q. If it is on the Baltimore & Ohio? A. I never went through there.

Q. You have never been there to stop? A. No, sir; never.

Q. Where were you on election day in the fall of 1888? A. I was in Topeka.

Q. Where were you for the first ten days immediately succeeding that day? A. I was in Topeka.

Q. Where were you for the next succeeding ten days? A. In Topeka.

Q. All the time? A. Yes, sir.

Q. Do you know the business of Mr. Geo. W. Poorman? A. I do not, further than what I have seen in the newspapers.

Q. Have you been employed at any time in and about the same office? A. Never.

Q. Have you at any time seen him in Kansas City, Mo.? A. No, sir.

[A gentleman in the audience, arising, said: "I am George W. Poorman, and I prefer to be absent while this witness is testifying." The chairman said "there would be no objection to that, provided he (Mr. Poorman), would be on hand when he was wanted."].

Q. I think you said, you first saw him here in this city? A. Yes, sir.

Q. You never saw him, except in this city? A. That is all.

Q. Do you remember when you was in Winfield on the 9th day of October, '88, at the office of the Vincent Brothers' *Non-Conformist*, as it is called, whether George W. Poorman was mentioned either by you or they? A. Yes, sir, his name was mentioned.

Q. By whom? A. I do not remember.

Q. Do you remember in what connection? A. Yes, sir; it was in connection with the expose—the first expose.

Q. Do you recollect what was said about the matter? A. Not the language; no.

Q. Substantially? A. The impression it left on my mind that he was sort of a worthless sort of a fellow, and had secured this book and secret work of the Videttes and had turned it over to Mr. Greer as spite work.

Q. Was there anything further said concerning him? A. Yes, I think I said that I had seen him here in Topeka.

Q. Did you tell them what time you had seen him here? A. If I told them anything at all I told them.

Q. Do you remember that you did? A. No, I do not recollect positively.

Q. Now let me ask you, do you remember telling him that you had lost sight of him anywhere? A. I might have made that remark.

Q. Do you remember whether you did? A. I do not remember whether I used those words.

Q. Well, substantially? A. It is possible that I did.

Q. Do you remember of telling him where he had escaped from your view and you had lost sight of him? A. If I told him at all it was as I have said, where I had seen him when he left Topeka.

Q. At what time in the day did you visit Vincent's office first? A. In the forenoon.

Q. Afterwards you said you went over from the depot to Vincent's office direct? A. Yes, sir, as I remember it.

Q. Did not make any stop between the Santa Fe depot and the *Non-Conformist* office? A. I do not think I did.

Q. Do you remember of saying to the Vincents, upon that occasion, that you had been riding all night? A. No, sir, I do not remember that I said that.

Q. Was it a fact? A. It was.

Q. Do you remember of saying to them that you had taken your breakfast at Newton? A. No, sir.

Q. Do you remember of saying to them that you saw George W. Poorman on the train at the Topeka depot, and that you got upon the train and followed him; that you got your breakfast at Newton, and that in the dining room you had lost sight of him, and not being able to see anything of him, and knowing that he had formerly lived at Winfield you got upon the train and came to Winfield, expecting to see him there? Did you say that? A. No, sir.

Q. Did you say anything upon that subject? A. Not in the line suggested by your question.

Q. Did you say anything upon that subject of having seen Poorman upon the train? A. No, sir.

Q. Did you say anything upon the subject of having taken your breakfast at Newton? A. I do not remember about that.

Q. Did you say anything about having lost sight of Poorman in the dining-room? A. No, sir.

Q. Do you now know whether you started from Topeka or Kansas City to go to Winfield? A. No, I have no clear idea.

Q. Where were you when you first heard of the Coffeyville explosion? A. In Topeka.

Q. Do you remember at what time you first heard it; that is, on what day? A. Just from general remembrance I would say I remember of seeing it in the newspaper of the morning of the 19th or 20th, or whenever it was.

Q. The matter prepared by you for publication, and which appeared in Mr. Greer's paper on the 18th, had been sent off, the last of it, how recently before the 18th? A. You mean the copy?

Q. Yes, the copy? A. Well, I think it was a day or two before, I do not remember.

Q. From the time Mr. Greer was up here until the copy was all furnished and forwarded, you were here in town? Didn't go away at all while you were preparing copy? A. I do not remember whether I went down to Kansas City or not, it is possible I did; but I will say this, I was not out of the city to exceed twelve hours from that time until the copy was prepared.

Q. And after it was prepared it was two or three days before it appeared in print? A. No, I do not think it was two or three days; it was one or two.

Q. You say you were not out of the city to exceed twelve hours at any one time. Do you say you were not out of the city until after the copy furnished by you appeared in the *Courier*? A. Not at all, until after it appeared in the *Capital*.

Q. From that time on until after the election you were here, I believe you say? A. Except the week I spent in the country with my parents.

Q. That was on the 23d of October, was it? A. Yes, sir; 23d or 24th.

Q. Until about the first of November, and then you was here until after the election? A. Yes, sir.

Q. Was that in fact from the time the matter was prepared until about the 1st of December you were not away to exceed twelve hours, except the week that you were at your father's. A. That is it exactly.

Q. Mr. Henrie, when did you make the personal acquaintance with Mr. Henry Booth? A. I cannot remember when it was.

Q. About when? A. During the fall of 1888.

Q. And when did you become personally acquainted with Bion Hutchins? A. About the same time.

Q. Did you know either of them before at all until they were here in town as members of the state central committee? A. I do not remember whether that is the first time I met them or not.

Q. The first thing you did after the suspending of your paper was to engage in the services of that committee, was it not? A. No, I do not hardly think it was—I do not remember.

Q. How did you happen to be employed by Booth and Hutchins, or the republican state central committee? A. I could not tell; I suppose they could answer that question better than I could.

Q. Were you introduced to them and recommended by some gentleman? A. I do not remember.

Q. You had some conversation with them before you made any arrangements with them, did you not? A. I presume so.

Q. How did that conversation commence? A. I do not remember.

Q. Where was it? A. I do not remember that either.

Q. Do you remember what compensation was paid you for your labor upon preparing this matter for the expose? A. The regular scale, \$2.50 per day.

Q. Paid by whom? A. I do not know.

Q. From whom did you receive your money? A. I do not know whether I got it from the bank, or whether Mr. Booth or Mr. Hutchins handed it to me.

Q. Was it either given to you or paid by them upon their check, one or the other? A. Yes, sir.

Q. How did it happen you entered into the services of the Republican state central committee? A. Well, if you are speaking of myself, I can answer the question. It was simply a matter of getting bread and butter; I had nothing else, they needed a man and there was a place there and I went to work in it.

Q. How were you advised that they needed a man? who advised you? A. Well, I cannot remember as to that.

Q. Who brought you and these gentlemen together in order that you might make arrangements? A. I do not remember as to that.

Q. You do not know when or where? A. No, I do not.

Q. How soon was it after you entered into their services that you talked with them about going down to Winfield? A. I do not remember.

Q. Let me ask you if the first thing you did after that was not to make your trip to Winfield? A. I do not remember.

Q. Your trip to New York in September was before your arrangement with Mr. Booth and Hatchins, was it not? A. To what arrangements do you refer?

Q. You had not entered into the services of the committee when you made your trip to New York, had you? A. No, sir.

Q. That trip to New York was for what purpose? A. The National Committee of the United Labor Party had invited the candidates for president and vice-presidents to be in New York at the opening of the Anti-Poverty Fair, and I was also there in response to their invitation.

Q. Will you tell me now who supplied you with the funds, I will mention the sum \$150 used by you upon that trip? A. Nobody supplied me with \$150. I received in New York from the Secretary of the Anti-Poverty Association my expenses. I forget now what that amount was.

Q. During the period that Mr. Parsons was here and held a meeting spoken of, did you become pretty well acquainted with him? A. No more than I would with any gentleman whom I had met and conversed with for an hour or two.

Q. You resided here at that time, and was a man of a family? A. Yes, sir.

Q. Were you keeping house or boarding? A. My remembrance is that my wife was sick at the time and I was living—taking my meals at a restaurant.

Q. Did Mr. Parsons take several meals there with you as your guest. A. I do not remember whether he did or not.

Q. I will ask you whether Parsons and yourself, and other gentlemen that were friendly with you, did not have long sittings, of a private character, upon which you talked over matters of common interest to you? A. No, sir; we could not have had any long sittings of that kind.

Q. I will ask you whether, during your conversation with Parsons, you had any discussion on the subject of the manufacture of dynamite? A. I remember somebody asked him if he had any dynamite in his grip, and he said, no, he had never seen dynamite, or something of that kind.

Q. Do you know a gentleman in this city by the name of Whitley, who is a carpenter? A. Yes, sir; I know J. W. Whitley.

Q. Did you know him at the time that Parsons was here? A. Yes, sir.

Q. Did you know where Mr. Whitley lived? A. I knew what part of the town, I think.

Q. Did you know the particular place where he lived? A. I do not remember whether I did or not.

Q. Were you at Whitley's house during Parsons' stay there in company with Parsons? A. I do not know whether I was or not.

Q. I will ask you now if you were not in company with Parsons at the house of Mr. Whitley, in the evening and as late as 10 or 11 o'clock at night, when the subject of the manufacture of dynamite was one of discussion, in which Parsons said that he understood the ingredients of which it was composed, the proportions of them, theoretically, and the manner of manufacturing it, and stated it to you and those present only? A. I do not remember anything about that.

By Senator Kimball: Q. If you were there under the circumstances mentioned in the question that was asked, could you fail to remember it? A. Why, yes; I think I would, probably, for the reason that my wife was sick at the time, I was very much worried, and if I was there it was because I was so situated that I could not leave without being discourteous to my company.

Q. So you say you might have been there, and this subject of the manufacture of dynamite might have been talked over and you not remember it? A. Yes, sir.

By Mr. Senn: Q. The Anti-Poverty Society of New York, to which you went as a member from here, was for the purpose of raising funds to conduct the campaign, was it not? A. Yes, sir.

Q. And you said they paid your expenses? A. Yes, sir.

Q. That did not help the fund very much, did it? A. It is assumed that it did, for a presidential candidate to the National committee being present at the opening would attract large numbers to the Fair.

Q. I will ask you to state, Mr. Henrie, where you were on the 18th day of October. The Committee adjourned until Tuesday, at 10 o'clock A. M.

TOPEKA, KANSAS, Tuesday, February 3, 1891—10 o'clock A. M.

Committee convened pursuant to adjournment, a quorum present. Upon statement of counsel that the witness, H. H. Graves, would not be needed, he was excused from further attendance upon the Committee.

Mr. C. A. HENRIE further testified as follows:

Examined by Mr. Curtis: Q. You may state to the Committee how you learned what you know about the Videttes, as briefly as you can? A. Early in the year 1887, there was a gentleman came here as organizer of the Videttes; after some two or three interviews with him, in which he insisted that I should become one of the members, I told him that if he secured enough to form a camp, as it was called, I would be one of them; some few days later he came to the office, and said that that evening there would be a meeting with enough men to organize. A portion of those who came in the evening and heard the purposes of the organization explained, declined to become members, leaving as I remember not enough to organize a camp. At a later meeting, I think a portion of the work was gone through with. Soon after that, quite a number—that is, some three or four of those who had been at both meetings, refused to have anything further to do with it. Some little effort was made to reorganize, but they proved a failure, and so far as I knew the camp had become extinguished. The larger part of the information I got concerning the Videttes was later in the year 1887, when Mr. Whitted came into my office. I had known him previously for some time, and he asked me if I knew anything about the Videttes. I told him what I knew. After some little conversation, he went on and explained to me fully, their workings as they occurred in Texas. According to his story he had been a prominent member; the order was very prominent there.

Q. That was the way you learned what you know about the Videttes? A. That is what I heard from their men. They talked very freely about the matter, and my opinion was at the time—impression I got from some who talked with me, I obtained the opinion that there were altogether too many politicians in Topeka to organize the Videttes.

Q. You were asked yesterday what these Videttes—what the meetings of the Videttes were called; have you since recollected it? If so, please state it to the Committee? A. It was called the camp.

Q. Where was you on the 18th day of October, 1888; the day of the explosion at Coffeyville? A. Topeka.

Q. State to the Committee who you did business for that day in the city of Topeka, and what you did, as near as you can remember? A. I came up town in the morning, and the first person I remember having any business with was Mr McCray; he had a proof-sheet of the Vidette expose; we had some talk about that and particularly about the head that was to go over the matter. After dinner, at the *Capital* office I had some conversation with Mr. Frank Scott concerning the plates of the Vidette expose. In the evening I attended a meeting addressed by David Overmeyer, and made a report of that meeting for a paper in North Topeka, the *Sunflower*; later that night, I made a report of a democratic meeting for Mr. Arthur Capper of the *Capital*.

Q. Were you ever in Winfield before the publication of the first expose of the Videttes? No, sir.

Q. Did you do any business with Mr. Poorman, who has been mentioned? A. No, sir.

Q. Who was with you when you met Mr. Poorman, either in the parlor or some other room, the first time? A. A Mr. Wakefield.

Q. You say Mr. Wakefield was with you at the Windsor hotel: what were you doing? A. We were making arrangements for Dr. McGlynn's sojourn in the city.

Q. Where in the building was it you met Mr. Poorman? A. We saw him in the parlor; I forget the number of the parlor, that is, where we were; I do not know whether he was passing through the hall or not.

Q. Did you see him in the Republican headquarters? A. Yes, sir.

Q. When was the last time you saw Poorman, before yesterday? A. On the 6th of October, about noon.

Q. Where was he at that time? A. On the platform of a car, of a railroad train at the Santa Fe depot.

Q. At what place? A. Topeka.

Q. How much of the time did Mr. Greer spend with you in getting up the second expose? A. One afternoon and a part of one night.

Q. Do you remember in whose handwriting the second expose was furnished to the newspapers of this city for publication? A. I suppose it was all in mine, or largely so.

Q. At the time you were at Winfield and had a talk with Mr. Greer, I wish you would tell the Committee what that conversation was, as near as you can remember, and as briefly? A. I went to Mr. Greer's office, he was not in; I sat down and inquired for him; they said he would be in, in a few minutes; I waited, and when he came in, I introduced myself as a newspaper man desirous of obtaining what knowledge he might have concerning the Videttes, and if he was going to make another expose. He related what had appeared in his first expose, and told me that he had considerable matter which was new, and would appear in the second expose; I asked him some questions as to how he was obtaining this material of the secret organization; he quite abruptly bid me good day, and went into his composing room.

Q. At the time you visited Winfield, what, if any position or office, was this man Wakefield a candidate for? A. A candidate for vice-president on the union labor ticket.

Q. At the time you were in Winfield, what, if anything, did you say to the Vincents about losing sight of Poorman? A. Well, if I told them anything at all about him, I told them simply what I have told this Committee; that I left him on the platform of a train at Topeka.

Q. When did you register at the hotel at Winfield? A. If I registered at all, it was about noon.

Q. What name did you register under, if you remember? A. Well, from my own, personal knowledge, I do not remember registering at all.

Q. Where did Mr. Parsons speak, when he was here in the city? A. He spoke first in the K. of L. hall, local assembly 1800; the second on the street, here on the corner of Sixth and Kansas avenue.

Q. At that time, what position did you occupy with the K. of L.? A. It appears to me I was Master Workman, if I remember right.

Q. State to the Committee if you, at any time, learned to make dynamite, or any other explosive substance? A. No, sir.

Q. If since the adjournment of this committee yesterday, you have tried in any way to ascertain whether or not Mr. Parsons, at the time he was here, tried to instruct you how to make dynamite at the residence of Mr. Whitted in this city? A. I have tried to remember of the conversation, yes, sir.

Q. I will ask you to state now whether or not in your presence at that time he gave you any instructions of how to make dynamite or any other explosive substance? A. He did not give me or any other person in my presence any instruction as to how to make dynamite or any other explosive.

Q. When you were at Winfield did you meet Mr. E. P. Greer on the depot platform when you went down to the depot to take the train in that city? A. No, sir.

Q. In 1888, what was your position towards the union labor party? A. I antagonized the union labor party all the time from spring until the campaign was over.

Q. Why did you attend the convention of the union labor party at Wichita that nominated the union labor state ticket in the fall of 1888? A. My purpose in attending that convention was to secure the single-tax plank in their platform.

Q. Could you have obtained admission to that convention if the pass word of the Videttes had been required of you? A. No, sir.

Q. What did the Videttes have to do with that state convention? A. They controlled the whole convention. When I went to Wichita I soon discovered that if I wanted to get any plank in the platform, I would have to see certain parties who were not in and upon the floor of the convention. I found that Mr. Elder, Mr. Snow, Mr. Lamb and Mr. Briedenthal had a room at one of the hotels there, to which a large number of the delegates were constantly making trips back and forth. My observation was that that was where the work of the Union Labor convention was being done. Some of these gentlemen coming and going, soon showed me where they were holding the Vidette meeting, and 'twas to that place I went and used what efforts I could to secure the admission of the plank which I wanted in the platform.

The witness was excused.

By Judge Webb: We now offer in evidence the affidavit of Edwin French, executed and sworn to in the presence of John Cannon, notary public, and ask that it be read and marked "Exhibit 28." [Affidavit was marked accordingly.]

Mr. Curtis objected to the affidavit being received in evidence, for the reason that it is incompetent and that the witness himself should be produced, so that we may have an opportunity to cross-examine him.

The affidavit was then read to the Committee for the purpose of enabling it to decide whether it would be received in evidence or not.

Mr. Curtis made an argument in support of his objection, and Mr. Henderson made an argument in opposition thereto.

Mr. Crumley moved that the affidavit be received in evidence.

Mr. Carey said he would be in favor of allowing the affidavit to be received in evidence.

Judge Webb made an argument in opposition to the objection.

Mr. Crumley's motion prevailed.

Mr. Crumley, Mr. Senn and Mr. Templeton voted in favor of the motion and Mr. Bishoff voted against it.

Senators Mohler and Carroll were not present.

The affidavit was received in evidence, directed to be made a part of the record and was as follows:

[EXHIBIT 23.]

STATE OF KANSAS, LINN COUNTY, ss.

Edwin French, of lawful age, being first duly sworn on his oath doth say that he is acquainted with one C. A. Henrie, of Topeka, Kansas, and has been acquainted with the said C. A. Henrie for the four years last past. To my personal knowledge the said C. A. Henrie left his home in Topeka, Kansas, one or two days before the announcement in the daily papers of the explosion in Coffeyville, Kansas, of a dynamite bomb consigned to Winfield, Kansas, on the date of October 18th, 1888, and to my knowledge he did not return to his home until after the above announcement of the said explosion in the daily papers. At the time of his return, I was standing in the hall-way or Fifth street entrance of No. 119½ Fifth street, in the city of Topeka, Kansas, at the hour of between ten and eleven P. M. When he entered he had in his hand a traveling bag or "gripsack," as though he was just returned from a journey. I said to him in substance as follows: "This is a nice time of night for you to come slipping in home," to which remark he made no reply, but passed on up stairs. To the best of my knowledge and belief he remained at home all the following day. Shortly afterward, I obtained a copy of the daily paper, the *Kansas City Times*, charging the responsibility for the said explosion of dynamite on the said C. A. Henrie. I took this paper to him and called his attention to this charge. I left the paper with him. During the second day after his aforesaid arrival, the request came to me through my daughter, Mrs. Lucy Barlow, for us not to mention his being at home. At various times during the succeeding few days he jokingly referred to bombs and dynamite. After the election, as my memory serves me, a suit of clothes was sent to the house for him in his absence, and at first he appeared not to know where the goods came from, but subsequently said to me: "I am not satisfied with a suit of clothes, but I will have the position promised me in the labor bureau or I will raise hell." It was common talk between his family and mine for some weeks, that he was to have a position in the state labor bureau. The family of said C. A. Henrie moved into the said 119½ Fifth street, Topeka, Kansas, about the middle of September, 1888, and during the absence of said Henrie in New York, whither he said he was going to attend a united labor, or Henry George, convention, the wife of C. A. Henrie stated to me and to my daughter aforesaid, that he had received the sum of one hundred and fifty dollars, with which to attend said convention. I lived in the same house with C. A. Henrie, No. 119½ Fifth street, from about the middle of September till about December 15, 1888, about which time I moved to Monroe street, Topeka, and thence in a short time to Kansas City, Missouri. I have lived in Mound City, Kansas, since June, 1889, and am a blacksmith by trade, a life-long Republican in politics, and served four years in the United States navy.

EDWIN FRENCH.

Subscribed and sworn to before me this 2d day of September, 1888.

Term expires May 2, 1893.

JOHN C. CANNON, Notary Public.

J. W. WHITLEY, being duly sworn to testify to the truth, the whole truth, and nothing but the truth upon the subject-matter under investigation, testified as follows:

By Mr. Henderson. Q. State your name to the Committee. A. J. W. Whitley.

Q. Where do you reside? A. Number 214 West Second street, Topeka, Kansas.

Q. Are you acquainted with C. A. Henrie? A. Yes, sir.

Q. How long have you been acquainted with him? A. I think about seven or eight years—it may not be more than six, but I think seven.

Q. How long has he resided in Topeka? A. I do not know how long he had resided here before I became acquainted with him; I think but a short time.

Q. Was you in his lifetime acquainted with one Albert R. Parsons? A. Well, yes, sir; I may say I was.

Q. Where did you form his acquaintance? A. In Topeka.

Q. When? A. I cannot remember the day.

Q. About when? A. About July, 1885.

Q. Was that here in the city of Topeka? A. Yes, sir.

Q. How long did he remain in the city? A. He was here twice.

Q. I mean that time in July, 1885. A. I think from evening until some time in the forenoon of the next day.

Q. Did you see Mr. Parsons and Mr. Henrie in company together during that visit of Mr. Parsons? A. I think so.

Q. When was his next visit to the city of Topeka? A. I think about two days later.

Q. About how long did he remain in the city upon that occasion? A. Until the afternoon of the next day; he came in the evening and left the afternoon of the next day if I remember correctly.

Q. Are you acquainted with an organization then known as the International Working-People's Association? A. I was at the time.

Q. Were you at that time acquainted with an organization known as the International Working-Men's Association? A. Very little about that.

Q. Do you know whether or not Mr. Parsons was a member of either of the organizations I have mentioned? A. He was a member of the International Working-People's Association.

Q. Do you know whether or not Mr. Henrie and Mr. Parsons were in company during the second visit of Mr. Parsons to this city? A. Yes sir.

Q. Do you remember of any particular place where you saw them together? A. Yes sir; they came to my house together in the evening.

Q. About what time did they come to your house? A. I think it was later than six o'clock, and it may have been seven. Let me correct that; I will say about five o'clock in the evening.

Q. Are you acquainted with one Mr. Whitted, and was he at your house upon that occasion? A. Yes, sir.

Q. Did you know him at the time of Mr. Parsons visit here? A. Yes, sir.

Q. Now I will ask you to state, Mr. Whitley, upon the occasion of Mr. Parsons' visit to your house that evening, if he gave a lecture in which he specially directed you to the preparation and manufacture of what is known as dynamite? A. I would not call it a lecture, it was a conversation.

Q. Did he in his conversation state in detail as to the preparation and manufacture of dynamite? A. After his lecture on the street, yes.

Q. Do you remember now what he said about it upon that occasion? A. No, sir; I would prefer to say partially.

Q. Now, I will ask you to state to the Committee if, at that time, Mr. Henrie took a part in the International Working People's Association? A. I think so.

Q. State, if you will, what were the initiatory steps in order to become a member of that organization. A. A member of that organization could secure nine others and form a class, and issue them a card; my recollection is not entirely clear in regard to this, but this is the best of my recollection; they would go through a course of instruction, and afterward take a degree and receive another card.

Q. What was the first card or degree called? A. I have forgotten; it was called a group or class; as to what the members were called I don't remember.

Q. To refresh your memory I will ask you to state if it was not a student's card? A. That is correct.

Q. After one had received a student's card, then state to the Committee the next step in the organization of that order. A. Well, as far as the next degree was for him to form a group.

Q. Well, what was that called; a teacher's card? A. Yes, sir, a teacher's card.

Q. What was necessary to take the third or last degree in that organization? A. I am not certain, but I think that was called a legislative card; but he took the card then that enabled him to meet with the teachers of the other groups when they were in a body.

Q. Are you able now to describe to the Committee, substantially, what was necessary for one who had taken the first, or student's card, to do, before he would be entitled to a second, or teacher's card, or degree? A. Well, a study of economic questions was necessary, and earnestness and fidelity were necessary, before he would be permitted to take that degree.

Q. What point, or stage, must he reach before he would be entitled to the second, or teacher's card? A. No standard, but only in the opinion of his associates, if he was competent to teach others correctly.

Q. Then he received the second, or teacher's card? A. Yes, sir.

Q. That was simply his authority to teach? A. Yes, sir.

Q. When he received the second, or teacher's card, what then became his duties, and what were his privileges? A. His duties were to teach the nine members of his class—his group; but as to his privileges, my memory is not clear; I do not think it entitled him to any further privileges at that time.

Q. When he received that card he was authorized to teach his nine? A. Yes, sir.

Q. By the terms and principles of this organization, could a larger number than nine form a group? A. A group consisted of ten, including the teacher; that was the limit.

Q. How long was he to remain as teacher before he would be entitled to what is known as the third or legislative card? A. I do not think there was a specified time it was determined, I think, by proficiency.

Q. Well, when he had taught his class to proficiency, then he was entitled to a legislative card, wasn't he? A. I think so.

Q. Who was judge of that condition or qualification of the person holding the second card? A. The other nine members of the group, I think.

Q. Now then, when he received the third or legislative card, what then became his duties and privileges? A. I cannot say at this time.

Q. Do you know how many persons in the city of Topeka had received the third or legislative card? A. I do not know that there were any got their cards.

Q. Did you ever see one of these cards—legislative cards? A. I think not.

Q. Did you, in the instructions that you received, ascertain the color of the three separate cards that were issued and delivered to the members of this organization? A. I do not remember but two cards, white and red.

Q. What was the white card? A. The student's card.

Q. What was the red card? A. The teacher's card.

Q. Do you know how many of these cards Mr. Henrie received? A. I do not.

Q. Do you know whether or not Mr. Henrie was one of nine who had reached that degree of proficiency that enabled him to, and he actually received a blue or legislative card? A. I do not.

Q. How many persons were at your house upon the evening that Mr. Paarons conversed there? A. I think there was at least a half a dozen there.

Q. Men? A. Yes, sir.

Q. Name them if you can? A. I can only name two with certainty; these were two of the Whitted brothers and I think the Vrooman brothers, but I am not certain, and my recollection was that Harry Blakesley was present, but I have been told since he was not, and the only two I can be positive about were the two Whitted brothers. The reason why I am somewhat indefinite, Parsons staid with me two nights, and there were two meetings on the same evening, and I cannot separate the two nights, it confuses my memory somewhat.

Q. The meetings were held at different times were they? A. Yes, sir; two upon one evening, and one upon another evening; one not late in the evening, and two days later, one in the evening and one later at night.

Q. What meeting was first held upon that first evening? A. They had been at the K. of L. hall, and he went home with me that night, accompanied by some others.

Q. Was that the first meeting to which you refer in your testimony? A. Yes, sir.

Q. Now what time of the night was that? A. I should say half past ten o'clock.

Q. When was the next meeting? A. About two days later.

Q. Was Mr. Parsons present? A. Yes, sir.

Q. Was Mr. Henrie at the second meeting? A. Yes, sir.

Q. What time was the second meeting held? A. It was not a meeting by appointment. Mr. Henrie and Mr. Parsons came to my house in company on the evening of his second visit here.

Q. Who else was there at the time? A. I do not remember; I think some others were there.

By Mr. Curtis: Q. What time in the night was this meeting that Mr. Henrie was there? A. The only occasion I have a distinct recollection of his being there was upon the occasion of his lecture on the street and before his lecture.

Q. At what meeting was it that Parsons talked about dynamite? Was it the one before his meeting on the street, or after? A. It was either on the occasion of his first visit here two days before, or after his lecture on the street.

Q. Was Mr. Henrie present at the meeting at the time Mr. Parsons talked to whoever was there about the preparation of dynamite? A. I am not certain.

Q. Do you know anything about Mr. Henrie's family being sick at that time? A. I had forgotten; but I think I recollected the fact after it was mentioned a few days ago.

Q. Is it not a fact that Mr. Henrie was not there late at night? A. It is very possible that he was not.

Q. Now that you told this committee about this organization known as the International Working People's, was there another organization with a similar name? A. Yes, sir.

Q. What was that called? A. I do not know positively; that is, I do not remember.

Q. Was it the International Working Men's association? A. That is possible; I cannot state positively.

Q. Which one was it that was organized here, if you know? A. International Working People's association.

Q. You speak about the members first getting a student's card and then a teacher's card: what was taught? A. Political economy.

- Q. What else? A. That was about all.
- Q. Did they teach you how to make dynamite? A. No, sir.
- Q. Or any other explosives? A. No, sir.
- Q. Did they teach you how to make bombs? A. No, sir; all that conversation was incidental.
- Q. Who with? A. Parsons, Griffith, and others.
- Q. Did Mr. Henrie take any part in it? A. I have heard him converse upon the subject with the balance of us.
- Q. Did the teacher have to teach anything upon this subject? A. No, sir.
- Q. Did you have to prepare yourself upon this subject in order to become a member of the organization? A. No, sir.
- Q. Did any of the text-books that were recommended for study to the students treat upon that subject? A. No, sir; so far as I know, they did not.
- Q. When was it you first saw Henrie with Parsons, upon his first visit to the city? A. I think it was it was in the K. of L. Hall.
- Q. At what place did Henrie become a member of the Working Men's Association? A. If I ever knew, I have forgotten.
- Q. Did you say that he became a member? A. I said I thought so.
- Q. Well, do you know whether he ever became a member or not. A. Well, if the acceptance of a card and the attendance at the meetings constituted the membership of a student, I have only that evidence that he became a member; I know that he attended, but I do not know that he received a card.
- Q. You said one of the requirements was fidelity to the cause; now, what was the cause? A. The cause was economic reform, or education in political economy.
- Q. Now, at this meeting at your house, you said it occurred in the evening; what were the arrangements in reference to rooms in your house at that time? A. Well, my family was in Ohio on a visit, and I was alone.
- Q. How many rooms did you have in your house? A. Two rooms.
- Q. Upon this occasion, the time that Parsons was there, after his meeting on the street, what room did those who were there occupy? A. The rear room of the building.
- Q. Were not both rooms used? A. Yes, sir, the door was open between them.
- Witness was excused.
- Committee adjourned until 2 o'clock, P. M.

TUESDAY AFTERNOON, 2 o'clock P. M.

Committee convened pursuant to adjournment. Quorum present.

MR. C. S. WHITTEN, being duly sworn to testify to the truth, the whole truth and nothing but the truth, concerning the subject-matter under investigation, testified as follows:

- Examined by Mr. Henderson: Q. You may state your name to the committee.
- A. C. S. Whitted.
- Q. Where do you reside? A. City of Topeka.
- Q. How long have you resided in the city of Topeka? A. I have resided here off and on between thirteen and fourteen years; been away a portion of the time.
- Q. Are you acquainted with C. A. Henrie? A. I am.
- Q. How long have you been acquainted with him? A. I have been acquainted with Mr. Henrie about six years or a little over — I think six years.
- Q. During any part of that time have you been intimately acquainted with him?
- A. Yes, sir.
- Q. What portion of the time? A. The first year that I became acquainted with him I was more intimate with him than at any other time. That was in '85.
- Q. Were you acquainted with A. R. Parsons in his life time? A. Yes, sir.

Q. Do you know whether or not Mr. Parsons and Mr. Henrie were intimately acquainted or otherwise acquainted? A. Yes, sir, I should judge they were.

Q. Intimately acquainted? A. Yes, sir.

Q. At what time did such intimacy exist? A. Well, the first I ever knew of their being acquainted was in the summer of 1885.

Q. What business was Mr. Henrie engaged in at that time? A. At that time he was connected with a paper called the *Citizen*.

Q. Do you know about that time Mr. Parsons was tried in Chicago? A. Well, just from newspaper accounts, I do.

Q. What paper, if any, was Mr. Henrie engaged upon at that time? A. I think he was publishing what was called the *Labor Chieftain*.

Q. Did he publish any editorials upon that question at the time of the trial? A. You mean in reference to the trial? Yes, sir; I presume so; not that I remember of distinctly; I think most newspapers in the United States published something about that; I think I have the paper here the next issue after that hanging.

Q. Was he editor of the *Labor Chieftain* on the 11th day of November, 1887? A. Yes, sir; I think he was.

Q. Is this one of the papers he published? A. Yes, sir.

So much of the paper as pertains to the trial of Parsons, Spies, Schwab, Fischer, Fielden, and the comments therein on the action of the governor of Illinois, is here marked "Exhibit 29" and offered in evidence, and was as follows:

[EXHIBIT 29.]

Labor Chieftain.

Chieftain, Vol. I, No. 50.

"United we stand, divided we fall."

Trades-Union, Vol. III, No. 7.

TOPEKA, KANSAS, FRIDAY, NOVEMBER 11, 1887.

[First page, third column.]

FOUR DEAD!

GOVERNOR OGLESBY UNABLE TO FIND ANY EXTENUATING CIRCUMSTANCES REQUIRING

HIS INTERFERENCE WITH THE EXECUTION OF THE LAW IN THE CASES OF SPIES, PARSONS,

ENGEL AND FISCHER—SCHWAB AND FIELDEN'S SENTENCE COMMUTED TO LIFE IMPRISONMENT.

THE DOOMED MEN PERFECTLY COOL AND JOCLULAR—PARSONS SINGS "ANNIE LAURIE"—NO PREACHERS WANTED—WEEPING RELATIVES—MRS. PARSONS REFUSES AN INTERVIEW.

SPRINGFIELD, ILL., Nov. 11th.—The decision of the governor in the anarchists' cases was announced in front of the mansion at seven o'clock last night, by his private secretary. By its terms Fielden and Schwab have their sentences commuted to imprisonment for life, [portrait of Richard J. Oglesby,] but the rest are denied clemency, and thus Spies, Fischer, Parsons, and Engel will be executed to-day in Chicago.

The following is the governor's decision in full:

STATE OF ILLINOIS,
EXECUTIVE OFFICE, SPRINGFIELD, }
November 10, 1887.

On August 20, 1886, in the Cook county criminal court, Augustus Spies, Albert R. Parsons, Samuel Fielden, and Michael Schwab, Adolph Fischer, George Engel, and Louis Lingg, were found guilty by the verdict of the jury and afterward sentenced to be hanged for the murder of Mathias J. Degan. An appeal was taken from such finding and sentence to the supreme court of the state. That court, upon a final hearing and after much deliberation, unanimously affirmed the judgment of the court below. The case now comes before me by petition of the defendants for consideration as governor of the state. If the letters of Albert Parsons, Adolph Fischer, George Engel, and Louis Lingg, demanding "unconditional release"—or, as they express it, "liberty or death"—and protesting in the strongest language against mercy or commutation of sentence pronounced against them, can be considered petitions, pardon, could it be granted, which might imply any guilt whatever upon the part of either of them, would not be such a vindication as they demand.

Executive intervention upon the grounds insisted upon by the four above-named persons could in no sense be deemed an exercise of the constitutional power to grant reprieves, commutations and pardons, unless based upon the belief on my part of their entire innocence of the crime of which they stand convicted. A careful consideration of the evidence in the record of the trial of the parties, as well as all alleged and claimed for them outside of the record, has failed to produce upon my mind any impression tending to impeach the verdict of the jury or the judgment of the trial court or of the supreme court affirming the guilt of all these parties. Satisfied, therefore, as I am, of their guilt, I am precluded considering the question of commutation of the sentences of Albert R. Parsons, Adolph Fischer, George Engel and Louis Lingg to imprisonment in the penitentiary, as they emphatically declare they will not accept such commutation. Samuel Fielden, Michael Schwab and August Spies unite in a petition for "executive clemency." Fielden and Schwab, in addition, present separate and supplementary petitions for the commutation of their sentences.

While, as said above, I am satisfied of the guilt of the parties, as found by the verdict of the jury, which was sustained by the judgment of the courts, a most careful consideration of the whole subject leads me to the conclusion that the sentence of the law as to Samuel Fielden and Michael Schwab may be modified as to each of them in the interest of humanity and without doing violence to public justice. And as to the said Samuel Fielden and Michael Schwab the sentence is commuted to imprisonment in the penitentiary for life. As to all the other named defendants I do not feel justified in interfering with the sentence of the court. While I would gladly have come to a different conclusion in regard to the sentence of Defendants August Spies, Adolph Fischer, George Engel, Albert R. Parsons and Louis Lingg, I regret to say that under a solemn sense of the obligations of my office I have been unable to do so.

RICHARD J. OGLESBY, *Governor.*

The following is a copy of the instrument officially commuting the sentence of Fielden and Schwab :

STATE OF ILLINOIS,
EXECUTIVE DEPARTMENT, }
RICHARD J. OGLESBY, Governor of Illinois.

To the Sheriff of Cook county, greeting:

WHEREAS, Samuel Fielden and Michael Schwab were convicted at the June term, A. D. 1886, of the criminal court of Cook county, of the crime of murder, and were *sentenced to be hanged;*

AND WHEREAS, It has been presented to me by divers good citizens of said county that said Samuel Fielden and Michael Schwab are fit and proper subjects for executive clemency;

Now know ye that I, Richard J. Oglesby, Governor of Illinois, by authority in me vested by the constitution of this State, do by these presents commute the sentence of the said Samuel Fielden and Michael Schwab to imprisonment in the penitentiary for life.

In testimony whereof I hereto set my hand and cause to be affixed the great seal of the State. Done at the city of Springfield, this 10th day of November, in the year of our Lord one thousand eight hundred and eighty-seven, and of the independence of the United States the one hundred and twelfth.

HENRY D. DEMENT, *Secretary of State.*

R. J. OGLESBY, *Governor.*

PREPARING FOR DEATH.

CHICAGO, Nov. 11th.—As soon as the sheriff had received notice that four of the anarchists would be hanged to-day every preparation was at once made, but up to midnight the exact time for the execution had not been set. (Portrait of August Spies.) It is thought, however, that the condemned will be taken to the scaffold between twelve and one o'clock. The execution is liable to be delayed by long speeches on the gallows, so that it is impossible to foretell the hour. The erection of the scaffold began at 10:15 last night. The first intimation that the newspaper men had of it was the falling of a heavy board. Then came the blows of hammers, and each one was distinctly heard in the dead quiet which prevailed. The gallows was put up in the northeast corner of the jail, where for many years all Cook county hangings have taken place. The scaffold is the same used in the hanging of the three Italian murderers, but it has been lengthened for the purpose of swinging off the four anarchists at once. It is painted a dead brown color.

Sheriff Matson, after a consultation with Jailer Folz last evening, decided to bar the big iron gate at the north end of the jail court leading into Illinois street, and four carpenters were set to work fortifying the gate by propping it with four-inch scantling. (Portrait of A. R. Parsons). At the bottom of the gate, heavy hardwood timbers were spiked. Ropes will be placed across the street at every corner of the jail building to-day, and a cordon of police, numbering two hundred will be stationed about this inclosure to keep the crowds back.

Shortly after 7 o'clock last night, Sheriff Matson went to the jail to give personal notice to Spies, Engel, Fischer, and Parsons, that they would have to suffer the extreme penalty of the law, and to see that his deputies were so placed that all unauthorized people should be kept from the vicinity.

When the sheriff went to the cell room, he was accompanied by deputies Price, Turner, and Galpin. The quartette staid in the cell room for about twenty minutes. The sheriff would only say that none of the condemned men showed any signs of breaking down.

It was 7:25 o'clock when Rev. Dr. Bolton, of the First Methodist church called on Parsons. His visit lasted about three minutes, and his efforts to get Parsons to consider spiritual matters were of no avail.

Captain Schaack was the next noted arrival. He had been telephoned for by the sheriff. The burgomaster, as he is styled, went into the cell room. When he came out he said he had not talked to any of the anarchists. He was asked by a deputy to step into the room where the body of Louis Lingg lay, but he indignantly refused to look at the remains. "I do not want to see Lingg," he said. "I haven't seen him in months, and I don't want to see him now that he is dead."

At 8:10 o'clock Spies, Fischer and Engel were taken from the rooms in which they had bade farewell to their relatives and consigned to their cells. These were

soon closely guarded, an armed deputy standing in front of each barred door. Inside of each cell was a lantern, while a table was placed outside, and on this was a lamp, giving the guards an opportunity to watch the movements of each prisoner. During the evening ex-Sheriff Hanchett, who had charge of the hanging of the three Italian murderers [portrait of Adolph Fischer], came in to see the anarchists. He was accompanied by Deputy Sheriff Eutell, who hanged Jim Decy, the slayer of Alderman Gaynor, of Chicago.

Mrs. Lucy Parsons created a scene in the criminal court building about 10 o'clock. She walked down Michigan street to the main entrance, and was admitted to the hallway by the armed guards. She had with her a lady friend. Approaching the door which leads to the jail-yard, she demanded permission to proceed. This was denied her by a deputy sheriff, who was acting under direction of Sheriff Matson. "But I must see my husband!" exclaimed Mrs. Parsons.

"You cannot," was the firm reply. Then the dusky wife of the anarchist threw up her hands and fell to the floor in a dead faint. It took over twenty minutes to bring her to consciousness, but when this was done she was escorted from the building. Parsons was not informed of the episode.

"I do not intend to tell just how I have ordered the police stationed," said Chief Ebersold. "In the first place, I anticipate no trouble. I am sure there will be none, unless it arises from an accident. But if anything should occur, my men will be in a condition to meet it. I have positive information that there will be no organized efforts of persons riotously inclined.

"A line of police, armed with rifles, thrown around the block immediately surrounding the jail, would prevent the approach of any crowd to them. Ten companies of twenty-six men each, all bearing rifles, will be posted around the jail and the streets in the vicinity, all under command of Captain Geo. Hubbard of the central station. Squads from the companies will do good duty at the entrances of the jail and criminal court building. At the central station, the Harrison street, west Twelfth street, Desplaines street, west Chicago avenue and east Chicago avenue stations companies will be left at each of the fifteen sub-stations." At 11:30 o'clock the condemned men were awake and talking to their guards. Parsons was in a cell furthest to the east, Fischer was located in the next to the west, Engel in the adjoining one, and Spies next. Fielden and Schwab paced up and down their cells inveigling sleep. A few minutes after eleven o'clock deputy Peters came out from his tour of duty with Engel with the air of a man who had just left an agreeable entertainment. The cause of this was discovered to be a select assortment of funny stories with which Engel had regaled him. This one of the condemned was by no means depressed by the clatter of the carpenters in the western corridor putting the finishing touches on the scaffold, where in a few hours he would be a prominent actor, and the grim terror of the rapidly-passing hours seemed to have no effect. In the course of his conversation with Peters, he indulged in a sneer at the cowardice exhibited by several of his doomed fellows. Said he: "There are a good many loud talkers among us, and the ones that talked loudest were the first to weaken when it came to the scratch." On being asked as to his own view of his coming doom, he threw up his hands, and with a shrug of his shoulders said: "You see me." There is hardly a doubt that he will march upon the fatal platform and step out into eternity with the reckless courage of a brute.

At 11:30 Parsons was still awake and pacing his cell with restless step. Occasionally his sharp face showed up in the glare of the lantern hanging in front of his cell doors, and the light in his eyes seemed brighter than in the early evening.

Fischer and Spies sit on their beds well back from the cell doors, and say but little.

All the city papers are represented except the *Arbeiter Zeitung*, which has so long been the organ of the Chicago anarchists. So far as can be learned no application for admission has been made by any one from that paper.

Deputy Sheriff Adolph Müller had a talk with Fischer and Engel during the evening. He says that the two men discussed Lingg's suicide freely, and both of them declared that they wished they had had a chance to follow his example; they would infinitely prefer to take their own lives to suffering the shameful death allotted to them. Engel also discussed his own attempted suicide which he made Saturday night by taking laudanum and morphine pills. He went so far as to assert that his own wife gave him the bottle about a year ago, and he added that he wished he had used the poison before it had lost its strength.

INCREDIBLE COOLNESS.

CHICAGO, Nov. 11, 2 A. M.—At one o'clock a change was made in the death watch. Deputy Hartke had been guarding Spies since eight o'clock. He reported that he had quite a long talk with the Anarchist. Spies declared that he had no reason to be afraid, and then launched forth in a tirade against the courts. He asserted that all the judges [portrait of Schwab], who had any connection with the case, had reason to tremble, while the Anarchists could hold up their heads and walk to death with steady foot-steps. The deputy also related the manner in which Rev. Dr. Bolton was received by Spies. The divine asked him if he would not accept of spiritual consolation? Spies, with a haughty shake of the head, declared he had no use for any clergymen. "I'll pray for you all night," replied the doctor. "Pray for yourself," returned Spies, "you need it more than I."

At seven o'clock Spies laid down on his cot and closed his eyes, but he did not sleep. Several times he got up for a drink of water; but his every movement betokened a firmness which was astonishing. So it was with the rest of the Anarchists. Parsons had the nerve to entertain his guard with a song. His selection was "Annie Laurie." He sang the sweet song entirely through, and when finished rested his head on his hands for a few moments, and then repeated the song. His fortitude was the wonder of all who heard him.

THE LAST INTERVIEW.

CHICAGO, Nov. 11.—When the news of the commutation of the sentence of Fielden and Schwab was received at the jail, there was an extraordinary scene of activity. The news was sent to the relatives of all of the condemned men, and in a short time they began to arrive at the jail.

The first of the women to come was Mrs. Schwab. Soon after Schwab was brought from his cell to the main office. His wife quickly advanced to him, and throwing her arms about his neck, burst into tears. Schwab returned the embrace in a calm manner, and soon the two were chatting quietly together.

After this, Spies and Fischer were brought from their cells and taken to the jail library, and Engel was brought to the private office of Mr. Foltz. This was done for the purpose of allowing the relatives to take their last interview.

The first of the women to arrive after Mrs. Schwab was Miss Engel, the daughter of the condemned anarchist. When the two met in the private office there was an out-burst of grief which it is impossible to describe. [Portrait of Fielden.] Father and daughter clung to each other and sobbed convulsively. Their conversation was in German, and listened to only by Deputy Oleson.

Then came Mrs. Spies, mother of August. She had been waiting outside for an hour and a half. She did not stay long in the library with her son, and on her exit from the jail, Mrs. Fischer was admitted. She went into the library and her lamentations were heard above the tramp of the deputies, who swarmed about the place.

But the crowning scene of all was the visit of Nina VanZandt, the proxy wife of Spies. She was conducted to the library by Deputy Oleson. As she walked through the main office she betrayed no emotion, but the moment which she saw August completely changed her demeanor. There was a look, then a gasp, and in a trice the lovers were in each others arms. A bevy of curious reporters and officers crowded up to the door of the library, but it was quickly shut by the deputy. The interview between the prisoner and his faithful devotee lasted nearly half an hour. What actually transpired will never be known to the world, but it was sufficient to bring a glimmer of tears to the eyes of the old deputy. In half an hour the lovers had parted, and the excitement of the entrance of Nina had passed.

SPIES' LAST LETTER.

SPRINGFIELD, Ill., Nov. 10.—Governor Oglesby has a letter written by August Spies, in which the Anarchist says:

"The fact that some of us have appealed to you for justice, under the pardoning prerogative, while others have not, should not enter into consideration in the decision of our case. Some of my friends have asked you for an absolute pardon. They feel the injustice done them so intensely that they cannot reconcile the idea of commutation of sentence with consciousness of innocence. Others, among them myself, while possessed of the same feeling of indignation, can perhaps more calmly and dispassionately look upon the matter as it stands. They do not disregard the fact that, through the systematic course of lying, distorting, inventing and slandering, the press has succeeded in creating a sentiment of bitterness and hatred among a great portion of the populace, that one man, no matter how powerful, how courageous and just he be, can not possibly overcome."

Further on he says:

They hold that to overcome that sentiment, or the influence thereof, would be almost an impossibility. Not wishing, therefore, to place your excellency in a still more embarrassing position, between the blind fanaticism of the misinformed public on the one hand, and justice on the other, they conclude to submit to you unconditionally. I implore you not to let this difference of action have any weight with you in determining our fate. During our trial the desire of the prosecution to slaughter me and let my co-defendants off with a milder punishment was quite apparent and manifest. It seemed to me then, and to a great many others, that the prosecutor would be satisfied with one life. State's Attorney Grinnell, in his argument, intimated this very plainly. I care not to protest my innocence of any crime, and of the one I am accused of in particular. I have done that, and leave the rest to the judgment of history. But to you I wish to address myself now as the alleged arch-conspirator, leaving the fact that I have never belonged to any kind of conspiracy out of the question altogether. If a sacrifice of life there must be, will not my life suffice? The state's attorney asked for no more. Take this, then; take my life.

THE LAST ACTS AND WORDS.

CHICAGO, ILL., November 11.—The condemned men slept soundly this morning. At 11 A. M. they each ate a hearty lunch.

At seven minutes before 12 the men were placed on the scaffold.

The quiet courage of Parsons, Engel, Fisher, and Spies was the wonder of the 200 spectators.

The request to speak twenty minutes from the scaffold was denied.

Standing on the death-trap, Spies was the first to give utterance by saying through his tightly clenched teeth: "There will come a time when our silence will be more powerful than the voices they are strangling in death."

The last syllable had not died away before Engel cried firmly: "Hurrah for anarchy."

Fischer caught the fire of the utterance, and more loudly exclaimed: "Hurrah for anarchy; this is the happiest moment of my life."

There was a silence like the grave, broken by Parsons, who said: "May I be allowed to speak?"

Then, with a slow entreaty, came: "Will you let me speak, Sheriff Matson?"

There was another agonizing pause. Muffled, through the death-shroud broke out, in unnatural accents: "Let the voice of the people be heard."

The crash as of a falling house thundered through the corridor; the ropes could be seen slowly tightening about their necks. Nine mortal minutes passed, then it was not known that a neck had been broken. The four men were actually strangled and throttled to death by the law. The bodies were taken charge of by friends and relatives.

(Fourth page, second column, editorial.)

Trades unions make their members better economists and better politicians; they debate the problems of bettering the condition of the people, and agitate for the removal from the statute books of all class legislation. The trades unions demand right legislation to help the weak and simple-minded people against the cunning and unscrupulous capitalists and monopolists. According to our narrow-minded judges, we live under old laws intended to crush all combined action of working people and to punish their writers, speakers and publishers.

The average man cannot make himself believe why there should be such a law of conspiracy as at present exists in most of the states of our union. Conspiracy ought only to be a crime in the case of treason against the government, and it should not touch a labor agitator, making him liable to be sentenced to death or to the penitentiary for life like the eight self-styled anarchists.

This has been an issue in Chicago at the two last elections, and virtually wiped out the Democratic party there, because it would take a stand for or against it.

Mr. Whitted further testified as follows: Examined by Mr. Henderson:

Q. During the intimacy that existed between yourself and Mr. Henrie, did you have frequent conversations with him in relation to the subject-matter contained in the paper marked Exhibit 29? A. No; I did not.

Q. Did you have any conversation with him about it? A. Well, I will say I had a conversation with him and a number of others; this was at the time of the hanging of the anarchists; we never commented upon any of his writings in the paper in regard to it.

Q. I refer to anything he may have said in relation to the subject-matter—the trial and execution of the anarchists. A. I do not remember of any conversation distinctly now.

Q. Do you remember of a convention held some years ago in Cincinnati, some labor organization? A. About what time? There have been a number of conventions held there.

Q. In February, 1887. A. No, I do not remember of any at that time.

Q. Did you have any conversation with him prior to the convention? A. What convention do you have reference to?

Q. The convention held in Cincinnati in February, 1887, as I understand it. A. There was a convention held there later on.

Q. When was it? A. In May, if you have reference to the Union Labor or United Labor Party.

Q. Did you have any conversation with him in reference to any convention of any labor organization? A. I did.

Q. When was it? A. It was in the early days of May, about the 8th, or 9th, in the year 1887.

Q. What was the conversation, the substance of it? A. Well, the substance of the conversation — it was generally known that I belonged and favored a faction of the labor element known as the Henry George Men, or single tax men; there was another element known as Union Labor or Greenback idea; we differed. Mr. Henrie belonged to the George Party also, and asked me if I was going to Cincinnati, to the convention with him.

Q. What did he say in that conversation? A. I told him, at that time I was not able to go; I would like to have gone, but was not able; he assured me that my transportation would not cost anything, that they had passes. I understood from him that John J. Crawford and he was going, and they had passes.

Q. Was there anything said about compensation if certain things were accomplished there? A. Not that I have any recollection of; if there was, I do not remember anything being said about compensation.

Q. Were you acquainted with an organization in this city known as the International Working People's Association? A. Well, just generally acquainted with it; I knew of the fact of that organization.

Q. Were you at that time, or at any time, a member of that organization? A. Of the Working People's?

Q. Yes, sir. A. No, sir.

Q. Are you at this time, or were you at any time, acquainted with an organization in this city known as the International Working Men's Association? A. I was in 1885.

Q. Do you know who was the organizer of that order in this city? A. Yes, sir.

Q. Who was it? I know who organized me into that body; it was Harry C. Vrooman.

Q. Was Mr. Parsons here? A. No, sir.

Q. How many times was Mr. Parsons in this city? A. I met him twice.

Q. Did you meet with him at any place in this city at either of the times he was here? A. Yes, sir.

Q. Where? A. The last time, I believe, was at Mr. Whitley's house.

Q. What time did you meet with him at Mr. Whitley's house? A. Well, it was quite late; I should judge it was later than twelve o'clock.

Q. In the day, or night? A. At night time.

Q. Who was present at that meeting? A. There were five or six altogether.

Q. Why were they? A. Mr. Parsons, Whitley, Harry Vrooman, C. A. Henrie and myself, and, possibly, Harry Blakesley; I will not be positive about him being there.

Q. How long were you in session at that meeting? A. Well, it was merely an informal meeting, not any session; it was only an informal talk.

Q. How long did you remain there? A. I should judge it was nearly two hours.

Q. What was the subject of discussion at that meeting? A. There were quite a number of subjects; condition of laboring men, their prospects for the future, and quite a number of subjects.

Q. Was the subject of dynamite talked about? A. Yes, sir.

Q. What time in the evening was that subject discussed or talked about, if you remember? A. As near as I remember it, after leaving the meeting on the street, Mr. Parsons' lecture on the street, we went down to a restaurant on the Avenue near Fourth, quite a number of us. It was about 11 o'clock. Mr. Parsons got a lunch, and we raised him a little money; he was a little hard up, and we raised him a few dollars. He was stopping with Mr. Whitley, and they suggested that we go down, and, as I lived only one-half block from there, we went down to Fourth and Monroe

Mr. Whitley lived upstairs; we conversed awhile, and finally the invitation was extended to go upstairs.

Q. What was your trade or occupation at that time? A. I was doing gas fitting.

Q. You may proceed and tell what was said and done after you got up stairs. A. Well, we talked informally upon different subjects for some time, I suppose fifteen or twenty minutes, and some one broached the subject that we learn something that we never knew before.

Q. Who made that suggestion? A. I do not remember; I do not remember the exact words, but the conversation was brought about in that way; the question was asked Mr. Parsons to give us a formula for the manufacture of dynamite, and he did so.

Q. State all that was said. A. I do not remember all that was said.

Q. State all that you do remember. A. I will say this much was very definite on my mind from the fact of my peculiar trade at the time. We talked on the use of dynamite.

Q. Tell this committee what was said about the use of dynamite, and if Mr. Henrie was present at the time of the conversation? A. Yes, he was present; we were all there yet; Mr. Parsons gave us a formula for making dynamite. One of the boys spoke up and says, "There is Whitted, who is a gas fitter, and he can furnish us some gas pipe, and we can make some gas-pipe bombs"; I do not remember who it was that made the remark about my trade.

Q. Are you able to give that formula that he gave that night? A. No, I cannot, He made quite a long statement in regard to the matter, and among other things he said it was safe to manufacture it in a room well ventilated and of a low temperature; that the uniting of the acids with glycerine produced a stink like that of a dead person; that you had to use rubber gloves to protect your hands. I remember that part of it very distinctly. He said the acid would ruin your hands if it came in contact with them. Of course we talked quite a bit on the subject and upon other subjects, until finally it became quite late, and the meeting gradually broke up and we went home. I should judge it was after 1 o'clock when we went home.

Q. What time did C. A. Henrie leave that meeting? A. There was no one left the meeting, to my recollection, before we all left; we all left together, if I remember distinctly.

Q. Was there anything said in that conversation about any big noise when one of these dynamite bombs would go off? A. No, sir; If one is accustomed to explosives he knows that dynamite goes so quick there is no hissing noise whatever with it unless in blasting you attach a fuse.

Q. If a fuse is attached, what is the result? A. The fuse would make a hissing noise.

Q. You stated, I believe, that you were a member of this National Workingmen's Association? A. Yes, sir.

Q. I wish you would describe to this Committee, briefly, the various degrees or steps in the organization of that order; were there any numbers given to the members or membership of the order? A. Yes, sir.

Q. You heard the testimony of Mr. Whitley, did you not? A. Yes, sir.

Q. Now, in addition to what he has said, you may state to the Committee what part, if any, Mr. C. A. Henrie had in the organization? A. That is a little hard to answer directly without some explanation on my part.

Q. Well, explain and give an answer. A. We had in the organization the three cards; the student's membership card, the teacher's membership card, and after the teacher had gotten a group he was entitled to be admitted into any legislative meeting that might be held; these were the cards that were numbered; these were the only cards that were numbered.

Q. Well, did Mr. Henrie belong to the legislative degree of that order? A. Yes, sir.

Q. You may state to the Committee his number, if you remember it. A. There were numbers and letters. The number of Mr. Henrie, I think, was I. A. 5. I will explain that: I., for International; A. was merely a local, to designate Topeka; 5 was the fifth member of the legislative council. My number was I. A. 7.

Q. How many of these legislative cards were in existence in the city of Topeka? A. I do not know of more than eight or nine.

Q. Did Mr. Henrie have one? A. Yes, sir.

Q. Was the number that you have given on his card? A. Yes, sir; the number was written on the card. I will state I am not so sure it was 5 or 6; his name came just before mine. We had our names in the secretary's book, and also numbers, so that we knew the names and numbers; his name came just before mine.

Q. Were you a member of the organization called the Videttes? A. I have been; yes, sir.

Q. Were you familiar with the ritual of that order? A. Yes, sir.

[Counsel here hands witness exhibit No. 17, and calls his attention to the first column of the first page of the exhibit, pointing out the card printed therein.]

Q. Now, I will ask you to state to the Committee if that card has any relation whatever to the Videttes organization. A. No, sir; it has not.

Q. You may then state, if you know, to what organization it does belong? A. Yes, sir; it belongs to what is commonly known as the anarchists.

Q. Do you know, whether at any time, there was an organization of anarchists in this city? A. I do not believe there was; there were a few members.

Q. Do you know whether Mr. Henrie was a member or not? A. I believe he was. I am quite sure he was; there were three or four in this city.

Q. The card to which your attention has been called, belonged to that organization, and not to the Videttes? A. Yes, sir, it belonged to the anarchists.

Q. Did you ever have any conversation with Mr. Henrie upon that subject, at any time, of the anarchists' organization? A. Well, we did not call it by that name; I will state here that there were two sets of cards in this city. The card that you have called my attention to, was the card belonging to the Chicago branch of the anarchists. The organization of the workingmen, to which Mr. Henrie and I, and quite a number belonged to, was known as the International; and we were attached to the Pacific coast division. There were three or four of these anarchist cards held in this city; the rest of us held cards in the Pacific coast division, or in other words, Socialists.

Q. Do you know who had possession of these cards that were here from the Chicago division? A. Well, to the best of my knowledge, Mr. Harry Blakesley, Mr. C. A. Henrie, and Mr. Whitley held these cards; and possibly, I rather think that Harry Vrooman held one.

Q. That is all that were held in this city? A. That is all that I have any knowledge of.

By Mr. Curtis: Q. I will ask you to state, if you have read the article above that card? (Calling witnesses' attention to the card in the first column of exhibit 17.) A. Yes, sir.

Q. Does not that little article describe what that card is? A. I presume that does describe it.

Q. Read it over and tell us whether it does or not? (Witness reads article.) A. Yes, sir; that describes it.

Q. The card does show that it is of the National Working-People's Association, does it not? A. It does; yes, sir.

Q. And it is what is known as a student's card? A. No, sir; it is not.

Q. Well, what is it? A. That is—there were three different colors of cards; the students card was white, and on that card were printed the words, "student membership," and the teacher's or following membership card, was the red one, of which this is one; then there is a full-membership card.

Q. Did you ever have one of these cards? A. No, sir; I have seen them; mine is what is known as workingmen's card.

Q. How did you get yours? A. I joined the organization; that is how I got it.

Q. Did you educate or teach nine persons? A. Yes, sir; I had a group.

Q. Who were they? A. Didn't have a full group.

Q. How did you get your card, then? A. It was granted me because they supposed I would be able to form a group. I taught my group, but never got full membership.

Q. How many did you get, and who were they? A. I had six or seven; I don't remember them all now; Mr. Holum, Harry Vrooman and his brother, Harry Blakesley was there quite frequently, Scott Knox, and one or two others that I do not remember.

Q. Who issued your teacher's card? A. Harry Vrooman.

Q. How could he issue you a teacher's card and be a student? A. He came there a good part of the time, he and his brother.

Q. It is the fact, is it not, that they wanted to get these cards out among some of the fellows here, and didn't care whether they got a group or not? A. I do not know what the facts were, but it was a fact that they wanted to get as many persons to form groups as possible, and perhaps were a little lenient in granting cards.

Q. You say the first time that Mr. Parsons was here that Mr. Henrie was with him? A. Yes, sir.

Q. Do you know of his having any other acquaintance with Mr. Parsons, except that which he formed while Mr. Parsons was here? A. I do not know as I do.

Q. At whose request, if you know, was Mr. Parsons here? A. That I do not know; it seems to me that he was here in the interest of the K. of L.; he was an organizer of the K. of L. at that time.

Q. Did he not have his first meeting at the K. of L. hall, with closed doors? A. No, sir; he came into the K. of L. hall as a visiting member of the K. of L., was called upon, and he spoke, the same as anyone might, I suppose, when invited to speak.

Q. It was not a public meeting, was it? A. No; the K. of L. meetings were never public meetings.

Q. What position at time did Mr. Henrie occupy in that organization? A. He did not hold any office, that I know of; I was one of the officers myself.

Q. Was Mr. Henrie master workman of the printers' assembly? A. No, sir, not at that time.

Q. Now, at this second meeting, at the time you were at Mr. Whitley's house late at night, you went to his house, did you not, after Mr. Parsons obtained a lunch? Now, is it not possible that Mr. Henrie might have gone out before the others began to disperse? A. Quite possible, but he didn't.

Q. You remember that, do you? A. I remember that we all stayed until we began to yawn and get tired, and we said let us break up and go home, and we all went out together.

Q. You knew at the time that Mr. Henrie had a sick family, did you not? A. I remember that his wife was unwell about that time.

Q. Where did Mr. Parsons—in what part of the house did Mr. Parsons deliver his little talk to you, some six or eight people? A. Mr. Whitley occupied two rear

rooms of the house; the building faces north and south, and it was in the north room.

Q. What was the nature of his talk about dynamite? Was it of a scientific character? A. I should judge there was considerable of a business character to it all. I know that he mentioned what the effect of it would be in case of its use.

Q. Now, then, was there anything said about its use save and except upon the occasion of interference with your meeting, in case you were molested by police? A. No; the object of the use, as he agreed with us, was simply for self defense. I will state that we did not use it.

Q. Did you make a written memorandum of how he told you to make it and prepare it? A. I did not.

Q. Did the others? A. Not that I ever knew of.

Q. You would not be able from what you heard that night, leaving out your own personal knowledge in this matter, to prepare a bomb? A. I would say I would not. I, at that time, was not thinking of making any bombs, and I did not pay any particular attention to the details of the manufacture of it; I cannot answer for any one but myself.

Q. Is it not a fact that those of you who were there, except Mr. Whitley, were all young fellows? A. Yes, sir; it was a fact.

Q. At what time in 1885 was Mr. Henrie connected with the *Citizen*? A. He was connected with the *Citizen* from the time of its birth as a paper, which was in April, I believe, until sometime during the summer; may be the latter part of July.

Q. You have had some experience in the newspaper business? A. Very little.

Q. Have you had enough to tell this Committee whether that is plate matter that has been introduced here? (Showing witness the first page of exhibit 29, and referring to that part of the page that was offered in evidence.) A. I presume it is.

Q. Could you tell it from the date and from the initial on the picture or cuts of these different men here? A. I will state that plate-matter is made from type and this is an exact *fac simile* of the type.

Q. You say there were two different kinds of cards, the Chicago card and the Pacific coast card? A. Yes, sir.

Q. Were these organizations that issued these different cards known by the same name? A. No, they were not.

Q. What was the name of the Chicago branch? A. Well, they were known by three different names.

Q. Give them please. A. They were called Anarchists, Black Internationals and the International Working Peoples' Association.

Q. What was the Pacific coast organization called? A. It was called the International, or the International Workingmens' Association.

Q. Was it known as anything else? A. Socialists.

Q. Was it also known as Anarchists? A. No, sir; that branch was not Anarchists.

Q. You say Mr. Henrie belonged to the Henry George party, the same as you did? A. Yes, sir; he did.

Q. Is it not a fact that you and Mr. Henrie also made a hard fight for the Henry George party here? A. Yes, sir; that is a fact.

By Mr. Henderson: Q. Mr. Whitted, I will ask you to state to the Committee if you have carefully examined the so-called expose published in the *Topeka Capital* of October 19th, 1888, as introduced in evidence as Exhibit 17? A. Yes, sir.

Q. I will ask you to state to the Committee if you are able at this time to point out the matter therein contained which does or does not belong to the Vidette organization? A. Yes, sir. All of this article in the first and second columns down to the word "purposes" has no connection with it. I do not refer to the letter. I

will state that there are three or four lines at the bottom of the first column, which belong to the Videttes, which I overlooked, and three lines on the top of the second column. It is all interlined, the whole article, editorially. In the second column the paragraph commencing "having thus plainly declared their purposes," and ending with the words "that is;" also the paragraph at the top of the third column commencing, "having obtained a recruit," and ending "unAmerican and treasonable;" also the paragraph in the third column commencing, "men of America," all that paragraph down to the word, "instruction" in the third column, "instructions" in big type. In the fourth column at the top, the paragraph commencing, "an honest citizen," and ending, "the reason why it is a Military Organization." In the fourth column the paragraph commencing with the words, "The reader has now gone with the recruit," and ending with "we find under the head of." At the bottom of the fourth column the paragraph commencing, "As law-abiding citizens," and ending with "here is the meaning of the death sign." In the fifth column the paragraph commencing with the words, "No further comment on our part is necessary," down to the bottom of that column, and all of the sixth column as far as the letters; I have no knowledge of them.

Q. Is there any part of that so-called expose as published there as a part of the secret work of the Videttes, which does not belong to that order and its ritual? A. I will say—it will be impossible for me to answer that question, as I have not read this expose since the time it came out. I read it in the *Commonwealth* of October 19th; I read it very carefully at that time.

Q. I will ask you to state what connection, if any, the organization known as the Videttes had with the organization known as the International Workingmen's Association? A. They had no connection whatever.

Q. Did they have any connection with an organization known as the International Working People's Association? A. They had no connection whatever; they were an entirely different organization.

Q. Did they have any connection with the order known as The Anarchists? A. No, sir, they did not.

By Mr. Curtis: Q. Did you attend the Wichita convention in 1888? A. I did not.

Q. Do you know what part the leaders of the Videttes took in that convention that nominated the Union Labor state ticket? A. I do not know what part. I will state here for your benefit, that I did not belong to an organization of Videttes in the state of Kansas; my knowledge came from another state, and I never knew of but one or two Videttes in the state of Kansas.

Q. Did you know anything about the ritual or secret work that was used by the Videttes in this state? A. I knew nothing more than the ritual as used in all states alike.

Q. In what state did you belong to the Videttes? A. I belonged to the state of Texas.

Q. You did not know what part the leaders of the Videttes of the state of Kansas took in the Union Labor convention, or with the International Working People's Association, or the International Workingmen's Association, in the state of Kansas in the year 1888, did you? A. I cannot answer that question, as my knowledge does not extend all over the state; I do not know.

Q. How many years have you been a Vidette? A. About four years and a half. The witness was excused.

W. A. SNYDER, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Henderson: Q. State your name to the Committee. A. W. A. Snyder.

- Q. Where do you reside? A. In the city of Topeka.
- Q. How long have you resided in the city of Topeka? A. Between six and seven years.
- Q. Are you acquainted with one C. A. Henrie? A. Yes, sir.
- Q. How long have you been acquainted with him? A. Since I have been in this city.
- Q. During that time have you been in intimate relations with him? A. A greater portion of that time; yes, sir.
- Q. Did you at any time during the period of your acquaintance live near him? A. Henrie and his family lived in my house several months; I rented rooms to him.
- Q. How long did they live in your house? A. I could not state that positively; four or five months.
- Q. Were you acquainted with Mr. Albert R. Parsons in his lifetime? A. I met him once; yes, sir.
- Q. Where did you meet him? A. In this city.
- Q. Do you know anything about Mr. Henrie being instrumental in getting up meetings for him while here? A. I could not say positively as to that; to the best of my belief he was.
- Q. Do you remember who introduced Mr. Parsons to any meeting he addressed in this city? A. When he was here in the summer of 1885 they held a meeting over there on the corner of Sixth street. Mr. Parsons spoke there, and he was introduced by Mr. Henrie.
- Q. Was there anything said by Mr. Henrie at the conclusion of Mr. Parson's speech? A. I believe Mr. Henrie thanked the audience for their attention, and he then proceeded to read a poem entitled, to the best of my recollection, "The Ninety and Nine."
- Q. What information have you, Mr. Snyder, as to Mr. Henrie's work in and about the organization of various labor institutions or orders in the past seven or eight years? A. I know that in the past seven or eight years that he has been very active in several labor organizations, some of these of which I am a member, and others of which I was not a member and know nothing about.
- Q. Do you remember of a strike of the printers that were at work for the *Commonwealth* some time past? A. Yes, sir.
- Q. What connection had Mr. Henrie, if any to the strike? A. He was one of the men employed there, and quit work when the strike was ordered.
- Q. Do you know anything about the position now occupied by Mr. Henrie? A. I understand he occupies a position as chief clerk in the Labor Commissioner's office.
- Q. Do you know how he got that appointment? A. I have no personal knowledge.
- Q. Have you received any information from him? A. No, sir, I have received no information from him.
- Q. Do you know whether any trade organizations solicited his appointment? A. I have never heard of any that did.
- Q. What do you know about his being a Socialist in the years gone by? A. I have no personal knowledge of it; I only know that he educated in that line.
- Q. Did he have a school of that kind, or attempt to educate in that line? A. I understand that he did.
- Q. Upon what line of thought, whose principles was he advocating? A. Something socialistic and anarchistic.
- Q. Did he ever tell you? A. We have talked over the subject some.
- Q. In either of the conversations that you had with him, was Mr. Parsons, or

principles advocated by him, mentioned by Mr. Henrie? A. Yes, sir, to some extent.

Q. Do you remember, Mr. Snyder, the fact of a strike on the Missouri Pacific, at the city of Parsons, this state, some years ago? A. Yes, sir.

Q. Did you have any conversation with Mr. Henrie in reference to that matter? A. Yes, sir; I have had several.

Q. Do you know what interest he took in that strike, if any? A. He being a member of the knights of labor organization, of which myself and he were connected, he took a good deal of interest in it.

Q. Did he say anything in either of the conversations about the use of dynamite? A. We had a conversation since about the use of explosives; I do not know whether it was dynamite or not.

Q. Was that in connection with the strike at Parsons? A. Yes, sir.

Q. What did he say about that? A. He said, about the time the militia went down to Parsons, I think it was the evening they had been ordered out by Governor Martin, or a few days after that, or it was within two or three days after that, we walked up home together and he talked about that, he said he thought they ought to be blown up.

Q. Who? A. The militia.

Q. Well, what did he say about that, Mr. Snyder? A. Well, we were talking upon the subject, and I says to him: "How are you going to get about it to blow them up?" He says: "There are several ways to do it." I said: "I suppose there are several ways, but how are you going to get about it?" He said: "One good scheme would be to get some dynamite and nitro-glycerine and put it in bottles, and put it under the macadam of the street from the depot up town, and the tramp of a good many people over the nitro-glycerine or dynamite concealed amid the rocks would probably cause an explosion.

Q. What is your occupation? A. I am a printer by trade.

Q. How long have you been a printer in the State Printer's office? A. Between six and seven years.

Q. What position do you occupy there? A. I am assistant foreman of the composing room.

Q. Were you in the same position in 1888? A. I was in the same position in 1888.

Q. Did you know anything about this expose, that was published on the 18th of October, 1888? A. Yes, sir.

Q. Did you know where that matter was set up? A. I did not know where all the matter was set up.

Q. Do you know if any part of it was set up here in this city? A. Yes, sir; the portion that appeared in the *Capital* and *Commonwealth* was set up in the Kansas Publishing House. I do not know whether there were any editorial comments that were not set up there or not.

By Mr. Curtis: Q. What has been the relations between you and Mr. Henrie; friendly, or otherwise. A. No, sir; not very friendly; on speaking terms is all.

Q. How long has that been the case? A. Well, two or three years, I should judge.

Q. That grew out of the fact that Mr. Henrie opposed you as candidate for delegate several years ago? A. No, sir; we were not friendly at that time.

Q. That was three years ago? A. Yes, sir; three years ago.

Q. How long before that were you not friends? A. I think it will be four years this next spring.

Q. Did you give any information to parties living outside the city that this expose was to be published, and had been set up there in this newspaper office? A. No, sir.

Q. Did you inform anybody outside of the office so that they might inform the Vincents? A. No, sir; it is against the rule of all printing offices.

Q. What are your politics? A. I am an independent voter; I lean toward Democracy.

Q. Did you afterwards take any part of this matter down to the Democratic headquarters, or any place else, so that it might be compared with the hand-writing of C. A. Henrie? A. No, sir; I believe the copy was carried away and not brought back.

Q. Did Mr. Henrie ask for the endorsement of any of the labor unions that you know of? A. For what?

Q. For the position he holds in the labor bureau. A. Not that I know of.

Q. How long ago was it that he and you were talking about the strike? A. It was at the time it occurred.

Q. What year? A. I think in 1886.

Q. You say you had the conversation with Mr. Henrie while you and he were upon the streets? A. Yes, sir.

Q. Was anybody with you? A. No, sir.

X Q. Were you on friendly terms then? A. We were on friendly terms.

Q. Is it not a fact that in your presence, in public meetings since that time, Mr. Henrie has defended the action of Governor Martin in ordering out the militia at that time? A. No, sir.

Q. Did you not hear him at a public meeting of workmen, when they were talking about raising a monument to the governor's memory, defending the governor's action? A. No, sir.

Q. Did you, or he, take any part or action towards preparing an dynamite to be used down at Parsons? A. No, sir.

Q. You talked just as much on the subject as he did, did you not? A. No, sir, I do not know as I did.

Q. The Knights of Labor, and yourself as a member of the Knights of Labor, also took an active part, and showed considerable interest, in that strike at Parsons, did you not? A. Yes sir.

Q. Did Mr. Henrie tell you he intended to prepare any dynamite, or anything of that kind, to send down there? A. No, sir.

Q. Or that he ever did prepare any for use? A. No, sir.

(Counsel hands witness Exhibit 29, and refers to that part introduced in evidence.)

Q. You are an expert printer, and I want to ask you if this is not plate matter? A. Yes, sir; I should say it was plate matter.

By Mr. Henderson: Q. What was the cause of the difficulty between you and this man, C. A. Henrie? A. I do not know how it originated. The last time we had any difficulty was when I was running for delegate to the International Union, he assailed me in his paper; that was the cause of the last one.

Q. You was running for delegate to what convention? A. The International Typographical Union.

Q. Was he a candidate for delegate to the Trades Assembly at that time? A. No, sir; the Trades Assembly was not in existence at that time.

Q. Has he been a candidate for that position since its organization? A. He has been elected a delegate to the Trades Assembly at one time; I do not know whether he was a candidate or not.

Q. Was he seated in that convention? A. No, sir.

By Mr. Curtis: Q. I will ask you to state what position you occupy in the Topeka Typographical Union? A. I am president of it.

(Here counsel hands witness a card.)

I will ask you to state what that is? A. That is a certificate of honorary membership.

Q. Of what? A. Topeka Typographical Union, No. 121.

Q. Issued to whom? A. Charles A. Henrie.

Q. What is the date of it? A. February the 8d, 1890.

Q. You are now president of that association? A. Yes, sir.

By Mr. Henderson: Q. Were you president at the time this certificate was issued? A. No, sir; H. M. Ives was president at that time.

By Mr. Curtis: Q. Are there any conditions attached to that kind of a membership? A. There were some, I believe.

[Here counsel hands witness a card, and asks him to read it. Witness reads the card, as follows:]

HONORARY MEMBERSHIP CARD.

No. 3.

TOPEKA TYPOGRAPHICAL UNION, No. 121.

TOPEKA, KANSAS, February 3, 1890.

This certifies that on this day and date, at a regular meeting of the Topeka Typographical Union, No. 121, the bearer, Charles A. Henrie, was duly elected to honorary membership.

The conditions under which this card is issued are:

First: That the bearer shall observe and perform all the requirements of the International Typographical Union, together with those of the local union within whose jurisdiction he may be.

Second: That this card shall be void and must be exchanged for a working-card when the bearer accepts work within the jurisdiction of any typographical union.

Third: Sister unions receiving this card for deposit are enjoined from issuing a travelling card thereon without first obtaining the consent of Topeka Typographical Union, No. 121.

Witness our hand and seal of the Union the day and year first above written.

H. M. Ives, *President*.

G. GUS CRAWFORD, *Financial Secretary*.

[SEAL.]

Q. You may state to the Committee what that means? A. It means that the man at one time has been a member of the typographical union, and has been transferred to the honorary list.

Q. By Mr. Curtis: This card could not be issued, could it, without a two-thirds affirmative vote of the members present at any stated meeting? A. No, sir.

The witness was excused.

J. G. COUGHER, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Henderson: Q. You may state your name to the Committee? A. J. G. Cougher.

Q. Where do you reside? A. In Topeka.

Q. How long have you resided in Topeka? A. In the neighborhood of five years.

Q. What business are you now engaged in? A. I am Secretary of the Coöperative National Association.

Q. In what business were you engaged, prior to your present engagement? A. A clerk in the bureau of Labor Statistics.

Q. When did you cease acting as clerk in that office? A. I ceased active connection with that office about the 16th of November, 1890, but my pay ran on until the last day of the month.

Q. How long had you been employed in that office? A. A few months over five years.

Q. Who was the head of the department at the time that you ceased work there? A. F. H. Betton.

Q. Is he the same person who is now in charge of that department? A. Well, I presume so; I have not heard of any change.

Q. How did you happen to quit work in that office? A. My resignation was called for.

Q. By whom? A. F. H. Benton.

Q. For what reason? A. That another party had been granted the position.

Q. Who was the party? A. A printer by the name of White.

Q. Was there any other reason? A. The reason he was granted the position, was that he paid \$50 for it.

Q. Was there any demand made upon you prior to your resignation for any funds? If so, for what purpose? A. The republican state central committee assessed me, along with others, various sums. My assessment was seventy-five dollars.

Q. Did you refuse to pay that sum? A. I did.

Q. Who called on you for that money? A. I received a printed notice.

Q. Signed by whom? A. John H. Smith, secretary.

Q. Was that the only notice you had? A. I think I got two notices, duplicates.

Q. Was there any person called on you personally? A. No, sir.

Q. Are you acquainted with one C. A. Henrie? A. I am.

Q. How long have you been acquainted with him? A. Probably five years; over five years.

Q. Have you, at any time during that period, been upon terms of intimate friendship with him? A. We have been friendly during all that time.

Q. Do you remember of being in the office that you have already mentioned some time during the month of August, 1889, when he, Henrie, was present in the office and Governor Humphrey called to see him? A. Not to my recollection.

Q. Do you remember the fact of this so-called Vidette expose that was published in 1888? A. I do.

Q. Do you remember at any time after such publication, and during the year of 1889, of Governor Humphrey calling at the office for the purpose of seeing Mr. Henrie? A. No, sir, I do not.

Q. Was Mr. Henrie at work in the office at that time? A. In what time?

Q. In August, 1889? A. Yes, I believe he was—that is, I think he was connected with the office. He went to work in March or April following the adjournment of the last legislature.

Q. Do you know a gentleman by the name of McCray, who was connected with the governor's office as private secretary? A. Yes, sir.

Q. What was his position? A. He was executive clerk.

Q. Do you remember at any time during the month of August, 1889, of him calling at the office for the purpose of seeing Mr. Henrie? A. I cannot locate the time, but I have known Mr. McCray to come into the office to see parties; I do not know who he came to see.

Q. Did he come at any time and present affidavits for his signature? A. No, sir.

Q. Do you remember of the governor of this state calling at that office and asking Mr. Henrie to immediately execute the affidavits that had been left in the office for him, or words to that effect? A. There was something occurred; your question calls it to my mind, of that character, but it is very vague in my mind; but there was something of that kind, some affidavit that this man Henrie was expected to execute.

Q. Do you remember of having seen the affidavit? A. No, sir.

Q. Do you remember of having any conversation with Mr. Henrie about it?
A. No, I do not.

Q. Who was employed in the office at that time, or during the summer season of 1889? A. There was Mr. Betton, Henrie and myself.

Q. Any one else working in the office? A. No, sir.

Q. Was there any ladies at work in the office that they knew of? A. During the fall I think there was a lady clerk for a few weeks.

Q. Who was she? A. young lady from Wyandotte county; I cannot recollect her name:

Q. No other ladies worked in the office that year? A. Not to my recollection.

Q. Did your wife work there? A. She was not employed there.

Q. Did she do some work in the office? A. Came in to help me occasionally.

Q. And she was frequently in there? A. Yes, sir.

Q. Do you remember, as you say, of having a vague recollection of Governor Humphrey coming down in the office and talking to Mr. Henrie about this affidavit?
A. Not Governor Humphrey, Mr. McCray.

Q. Do you remember any part of the conversation between Mr. McCray and Mr. Henrie? A. I do not.

Q. Do you remember whether the governor's name was mentioned? A. No, sir; I gave it no attention, for the simple reason that it was something that they were trying to keep hidden from me. I am not a man to pry into other people's affairs.

Q. Did you see the instrument that Mr. McCray had in his hand? A. I do not know that I did.

Q. Do you remember how many he had? A. No, sir, I do not remember that.

Q. I will ask you if he did not have two? A. No, sir, I could not tell you.

Q. But didn't you take them and read them? A. Those affidavits?

Q. Yes, sir. A. If I did I have forgotten it.

Q. Can you now call to mind about how many times Mr. McCray called at the office for the purpose of seeing Mr. Henrie? A. I cannot remember; two or three times, may be more. About that time there was a talk being made about raising funds to erect a monument for Governor Martin, and I think Mr. McCray and others called there to see about that?

Q. I have reference only to the time he came there in relation to the affidavits to which I have already called your attention. A. I do not get it; my mind does not yield it up to me in any way tangible. Perhaps if you show me the affidavit I can tell something about it.

Q. Can you call to mind anything about any affidavits that Mr. Henrie was to procure other than his own in relation to the Coffeyville dynamite explosion? A. I cannot. I remember of hearing Mr. McCray say in relation to that matter at the time it was being published by the *Non-Conformist*, that it created considerable stir. Mr. McCray remarked to me that if Mr. Henrie could not hold that position without causing so much trouble, he had better resign.

Q. Did you have any talk with Henrie about that? A. No, I do not think I ever mentioned it to him.

Q. To refresh your memory let me ask you if you did not mention it to Henrie once, and he said "that they did not dare to cause him to resign that position"? A. Well, that sounds familiar, too. I had a number of talks with him in regard to the matter, I remember one. I had numerous talks with him about the matter. I considered that he was ill-used in these publications made concerning him, and that they were untrue, that it was an outrage.

Q. Do you remember of having a conversation with Mr. Henrie, prior to his

appointment to the position that he now occupies, and a short time before the adjournment of the legislature two years ago, in which you said to him, in substance, that you did not believe that he was going to get that position, or words to that effect? A. No, I do not remember.

Q. You don't remember of any such conversation? A. No, sir.

Q. Do you remember where you were living about the close of the legislature two years ago? A. Yes, sir.

Q. Where with relation to the residence of Mr. Henrie? A. In the same building.

Q. You and he were very intimate at that time, were you not? A. We were intimate; I cannot say very intimate.

Q. Now, did you not have frequent conversations with him in relation to his appointment to the position he now occupies? A. Why, yes; I presume I did. It was a subject that interested both of us.

Q. Did you use the language to which I called your attention a while ago, or the same in substance, just before the adjournment of the legislature, and in response thereto, did Mr. Henrie remark: "that they (meaning the Republican Party), were bound to give him that position; if they did not, hell would pop"? A. No, I do not remember it.

Q. Do you say to this Committee, that such conversation did not take place between you and Mr. Henrie at your residence? A. I do not say that it did not; but I cannot think that it did, for I do not recollect anything about it.

Q. Do you know how long Mr. Betton has occupied the position of labor commissioner? A. Six years in May.

Q. He was appointed by Governor Martin, was he not? A. Yes, sir.

Q. What is the term of his office? A. Two years.

Q. Now, was there not some difficulty at the time of the inauguration of Governor Humphrey as to who should be his successor? A. There was considerable competition.

Q. Who were the aspirants? A. There was Mr. Jones, of this county, and myself, who were the prominent ones.

Q. Was not the fact of Mr. Henrie's employment in that office considered at the time the appointment was made? A. At the time Betton's appointment was made? Yes.

Q. What was said about it, and who said it? A. Well, I cannot tell you unless I give you hear say.

Q. Do you know Bion S. Hutchins? A. Yes, sir.

Q. Did you see him figuring around there any in relation to that matter? A. I do not know that I saw him figuring in the office any.

Q. With reference to Henrie's position? A. No; I will have to give you hear say, if I say anything about it, because I was sick at the time and I knew nothing when it came to seeing him.

Q. From whom did you obtain your information in regard to Mr. Henrie's connection with the office, and Mr. Betton's appointment as his own successor? A. I obtained the knowledge of the plan of operations from Mr. Henrie.

Q. Now, then, state what that plan was? A. That he was to have a place in the office?

Q. Yes, when did he state to you that fact? A. It was stated to me in the fall of 1888; I was sick during the latter days of the session of 1889, and this arrangement was made while I was confined to my room, that Mr. Henrie was to have a place in the office; and of course he told me how the matter was progressing, and Mr. Betton's appointment seemed to hinge upon his appointing Mr. Henrie to the position.

Q. Who was it that attached this condition to the appointment of Mr. Betton,

Governor Humphrey, or the Republican State Central Committee? A. Why, the first I knew of it, the first intimation I had, was from Mr. Hutchins, that Betton was to be dethroned, I was to be made Commissioner, and Henrie assistant.

+ Q. When was that conversation? A. That was prior to the election.

Q. Did you have any further conversation with him about that matter? A. No, I believe I never had any further conversation about it.

Q. Who was the next person with whom you conversed upon this subject? A. I heard Mr. Booth say, and it was said in my presence, that they would find a place for Henrie in the labor bureau.

Q. When was it that Mr. Booth made this statement? A. That was before the election.

Q. When was it with reference to the so-called expose of October, 1888? A. It was during its preparation.

Q. Did Mr. Booth or Mr. Henrie, either of them, say to you why they had promised Mr. Henrie this position? A. No, I do not believe he did definitely, only it was intimated that it was for his work in getting up this expose.

Q. Who was the next with whom you had any conversation about this subject? A. That is all I remember.

Q. You never had any talk with Governor Humphrey? A. No, sir.

Q. Do you know anything about Mr. Jones and his position, if appointed, as to whether or not he would employ Mr. Henrie as clerk? A. No, I do not.

Q. You never heard him say anything about that? A. No, sir.

Q. Did you ever hear Mr. Booth talk with Mr. Henrie after his appointment? A. Not that I recollect.

Q. Do you remember of his saying at any time, that Mr. Henrie was the most expensive man that the Republican Party had ever had on their hands in Kansas?

A. He said that he was pretty hard on the exchequer, that he was the most expensive man they had.

Q. When was this? A. It was previous to the election, during the campaign.

Q. Did he state how much Henrie had drawn out of them. A. No, sir, he did not.

Q. Did they state any one amount that had been paid him? A. No, I do not think he did.

By Mr. Curtis: Q. Mr. Henrie was working for your appointment first, was he not? A. Yes, sir, I believe he was; he carried a paper around to some of the senators, to have them sign it.

Q. Your wages were raised, were they not, from \$800 to \$1,000. A. Yes, sir.

Q. Is it not a fact, that other employes around the State House received notices or letters, soliciting them to contribute to the campaign fund of 1890? A. I presume so.

Q. Do you know from your own personal knowledge that Mr. White paid \$50 for the position he obtained? A. No, only Mr. Betton told me.

Q. To whom was the \$50 paid? A. I presume to the Republican State Central Committee.

Q. You did not pay the amount solicited from you? A. No, sir.

Q. Is it not a fact, that in the campaign of 1888, Mr. Betton refused to contribute, and that you did active work, that is, got out and made speeches for the Republican Central Committee, and that because of that, Mr. Hutchins and others favored you in preference to Betton? A. In that campaign they requested me to get out and do some work; Mr. Betton refused to let me go until Mr. Booth and Mr. Hutchins would agree that my labor should cancel his assessment.

By Mr. Henderson: Q. They agreed to cancel Mr. Betton's assessment, and you went out? A. I did the work, and Mr. Betton got the pay.

Q. Now you stated that your salary was \$800 a year, and it was increased to \$1,000; when was that increase made? A. That was one of the contingencies of Mr. Betton's appointment; that he give me the entire amount of the appropriation for clerk hire, which was \$1,000; he had been retaining \$200.

Q. At the time you ceased working in the office the salary was \$1,000 per year, and Mr. Henrie took your place at that salary? A. I do not know anything about that; after Mr. Henrie came there, Mr. Betton gave him the full amount of the salary. This was made mandatory by the governor, that is the following July after Mr. Henrie came until then, according to Mr. Henrie's statement, he had been taking \$200 off of him, after there had been an appropriation made for his salary.

Q. At the time of his appointment there was no fund out of which to employ a person to fill the position that Mr. Henrie was filling. Henrie's appointment and contract was made prior to the appropriation.

Q. Was the appropriation made to pay the salary of Mr. Henrie, or was the position filled before then? A. The position was created at that time and the appropriation made for Mr. Henrie's salary.

Q. I will ask you to state to the Committee what you know about this labor bureau and what relation it has to the state machinery, politically speaking? A. During this last campaign it has been largely used to further and gain a republican victory. Mr. Henrie, a portion of last summer, was travelling around a great portion of the time; and Mr. Betton looked around and if there was a screw loose in any part of the machinery which it required peculiar fitness to tighten, Mr. Henrie or Mr. Betton would furnish the tools to tighten the screw.

Q. Are you acquainted with Billy Buchan? A. Yes, sir; I know Billy.

Q. Was he opposed to Betton's appointment? A. When I told him how Betton was handling the funds he seemed to be a little irascible about it, and said that Betton was not appointed yet, but he favored the appointment afterwards, when they agreed to give him the \$1,000. I did not care about the commissionership; it is only a figure-head.

The witness was excused.

W. H. T. WAKEFIELD, being duly affirmed to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Henderson: Q. State your name to the Committee. A. W. H. T. Wakefield.

Q. Are you acquainted with C. A. Henrie? A. I am.

Q. How long have you been acquainted with him? A. I have had a slight acquaintance with him since 1883, I think, but I never was very much acquainted with him until 1888.

Q. Are you acquainted with one George W. Poorman? A. I am not acquainted with him, I know him by sight.

Q. Have you seen him in the room here to-day? A. I think I have.

Q. Where did you first see Mr. Poorman? A. I have an indistinct recollection of meeting him in Topeka between 1880 and 1884, but nothing very clear; I have since seen him at the reunion on the fair grounds the first week of October, 1888.

Q. In what rooms in the hotel did you see him? A. My recollection is not clear; I could not say positively; I think I saw Mr. Poorman in number 1 of the hotel.

Q. Do you remember what day of the month it was? A. It must have been the 3d or 4th of October, I think.

Q. Was it the 5th? A. I could not fix the date.

Q. You made an affidavit in September, 1889, in relation to this matter, did you not? A. I believe I did.

Q. Whatever date was stated in that affidavit, was the correct date? A. It might not necessarily have been; as I remember, it might have been within a day or two.

Q. Who was with you at that time? A. I could not say who all; my impression is, Mr. Hutchins was in the room.

Q. Any one else? A. I could not locate any one else; I think Mr. Booth was there.

Q. For what purpose did you go to the hotel that day? A. I was there as a guest of G. C. Clemens one or two days, and was there one or two days on my own account, and once to see Dr. McGlynn, of New York.

Q. When you first saw Mr. Poorman there, who was with him? A. I could not say.

Q. Was Mr. Henrie? A. I do not think he was there. I am not positive, but I do not think he was with me.

Q. Was he with Mr. Clemens? A. I think not.

Q. When did you next see Mr. Poorman? A. I saw him at the Santa Fe depot, which I think was on the 4th day of October.

Q. Who was with you at that time? A. I was with Mr. Henrie a portion of the time.

Q. What did you go down to the depot for? A. I went to meet Dr. McGlynn.

Q. Was that the day upon which he lectured here in this city? A. Yes, sir; it was my impression that he arrived upon the same day he lectured.

Q. Did you have any conversation with Mr. Henrie there at the depot with reference to the man Poorman? A. Yes, sir, a little.

Q. State to the Committee what that was. A. We had expected the doctor on the first train, but he came on the second; I was standing in the waiting-room and I saw Mr. Henrie and Mr. Poorman in conversation on the platform of the car that was starting east; Mr. Poorman went into the car and Mr. Henrie came out, and he sat down by me and said he would like to know what that fellow was up to; I tried to find out but he would not tell me. Mr. Henrie said he had reason to believe that he was on a very important mission for the republican party, and would like to know what it was.

Q. Is that all he said? A. That is the substance; that is about all I recollect now.

Q. Did he say anything about his acquaintance with this man Poorman? A. My impression is, I asked him who the man was, and he said he didn't know.

By Mr. Curtis: Q. Were you in the parlor of the Windsor hotel on the morning you were waiting for Dr. McGlynn? A. It was in the parlor, I think.

Q. How long had you been there? A. I could not recall the time.

Q. Was Mr. Clemens in there with you? A. I think he was.

Q. Who else was in there? A. A lady or two that I do not know; I think Mrs. Clemens was there.

Q. Were there any other men in there? A. I do not remember of any other men being there; there might have been.

Q. When did you and Mr. Henrie leave to go down to the depot? A. I could not recollect; I do not remember.

Q. Did Dr. McGlynn stop at the Windsor hotel while he was here? A. Yes, sir.

Q. Did not you and Mr. Henrie and others go there to make arrangements for his stopping at that hotel? A. I think we did, but we met Mr. Clemens, and he said he had arranged the matter.

Q. Were you a member of the Videttes at that time? A. I rather think I was.

Q. Was Mr. Clemens? A. He was not.

Q. That is the day, is it, that you saw Mr. Poorman in the headquarters of the state central committee? A. If my memory is not at fault, it is.

Q. You and Mr. Henrie went down to the depot together, did you not? A. I am not clear upon that point; Mr. Henrie thinks we did.

Q. You were at the depot together to meet Dr. McGlynn, and it was upon that occasion that you saw Mr. Henrie talking to Mr. Poorman on the platform of the cars of the train going east? A. Yes, sir.

By Mr. Henderson. Q. Did you have any talk with Mr. Booth, the then chairman of the republican state central committee, with reference to the appointment of Mr. Henrie as clerk in the office of the commissioner of labor? A. I never spoke to Mr. Booth in my life.

Q. Are you acquainted with Mr. David Overmyer? A. I am.

Q. Did you ever have a talk or conversation with him, in which he told you that Booth had told you that if they did not get Henrie a place he would give away the whole thing—the Coffeyville matter—and that they went to the governor and laid the necessity of the case before him in all its threatening horrors, and hence his appointment? A. No, sir.

Q. Did you tell him that in substance? A. I did not; I might possibly have told him that I had heard such things.

Q. Did you not tell him that Booth and Hutchins had told you these things? A. No, sir.

By Mr. Curtis. Q. You are the gentleman who was the candidate for vice-president on the Union Labor ticket in 1888? A. I am the gentleman who was nominated in Cincinnati.

Q. You were a candidate? A. I never considered myself a candidate.

Committee adjourned to meet at ten o'clock the following morning.

WEDNESDAY, March 4, 1891—10 o'clock A. M.

Committee convened pursuant to adjournment; a quorum present.

Mr. Henderson produced a copy of the *Non-Conformist* dated February 26, 1891, and offered in evidence certain correspondence appearing in that paper between Governor L. U. Humphrey and Mr. W. E. Doud; also, correspondence between Mr. Doud and Mr. O. P. Ergenbright, ex-county attorney of Montgomery county, Kansas.

Mr. Curtis said he had no objection to the letters being read in evidence the same as if the originals had been produced, provided that if Governor Humphrey when produced as a witness should deny that they are exact copies, then the letters should not be considered a part of the testimony, and the originals should be produced in their stead.

It was so ordered by the Committee.

The paper was marked "Exhibit 30," and the letters were read in evidence, and were as follows:

[EXHIBIT 30.]

OFFICE OF O. P. ERGENBRIGHT, COUNTY ATTORNEY, }
INDEPENDENCE, KANSAS, June 29, 1889. }

Editor Greenwood County Republican—DEAR SIR: I am now, and at all times have been ready to prosecute any action against the author of the Coffeyville explosion, whenever sufficient competent proof is presented to warrant arrest and prosecution. In view of the enormous expense to Montgomery county of an unsuccessful prose-

ention, I must reserve to myself the determination of what the testimony offered may prove.

Respectfully, O. P. ERGENBRIGHT.

OFFICE OF O. P. ERGENBRIGHT, COUNTY ATTORNEY,
INDEPENDENCE, KANSAS, July 16, 1889. }

Editor Greenwood County Republican—DEAR SIR: If my answer to the editorial to which you called my attention week before last, was published last week, will you please send me a copy of the issue containing it, and your comments thereon?

Very respectfully, O. P. ERGENBRIGHT.

EUREKA, KANSAS, July 20, 1889.

O. P. Ergenbright, Esq., Independence, Kansas—DEAR SIR: Yours of the 16th received, and in reply will say that I did not publish your letter, simply because I did not consider it an answer to my article published in the paper you sent. I would like to have either a flat denial, or an explanation regarding the accusations made by the Windfield paper.

Yours truly,

W. E. DOUD.

EUREKA, KANSAS, July 5th, 1889.

MY DEAR GOVERNOR: Last week I copied an article from the *Non-Con.*, published at Winfield, which directly charges you with being accessory to the Coffeyville explosion. I sent you a marked copy of my paper containing the extract, together with my comments, expecting to hear from you regarding the charges thus made against you and other prominent republicans, but up to date have heard nothing excepting a letter from the county attorney at Independence.

Since that issue of my paper appeared on the streets, I have been questioned by not less than 100 republicans who wanted to know if I had heard anything from you concerning this matter. It occurs to me that this is a serious matter, and if the charges are false steps should be taken at once to satisfy the minds of the people upon this question. If it is your pleasure, I should be pleased to hear from you regarding the charges made.

Yours truly,

W. E. DOUD.

STATE OF KANSAS, EXECUTIVE DEPARTMENT,
TOPEKA, KANSAS, July 9, 1889. }

W. E. Doud, Esq.—MY DEAR SIR: Yours at hand. I did receive and read a copy of your paper with the article you mentioned, but did not, and do not now, feel called upon to write anything for publication by way of reply, and this is only for you. In due time, a week or so hence, as soon as the material can be gathered and collated, a general reply will be made to the whole matter; not over my name, however, but by one of the prominent parties so charged.

I don't think it the thing, for a republican newspaper to assume the mere charge of an awful crime against one whose character has never been called in question, should throw the burden of proof upon him to prove his innocence. The proof should come from the other direction, by all the rules of fairness and legal procedure. Still, I am not complaining, only explaining why I did not feel called upon as yet to rush into the newspapers. When the characterless, irresponsible scoundrels making the charge shall have said all they have to say, and offer their evidence, if they have any, it will be our time to reply. I hope it is hardly necessary for me to assure you that the man in the moon is as much responsible as I am for the Coffeyville explosion. I suggest that you call on them for proof first. Let them prosecute the guilty parties if they know them. The courts are open. Don't you think I am correct. I think you will. Yours very truly,

LYMAN U. HUMPHREY.

EUREKA, KANSAS, July 12, 1889.

Hon. L. U. Humphrey, Topeka—MY DEAR GOVERNOR: Yours of the 9th was awaiting me on my return home from the west, yesterday. In reply allow me to

say that you have doubtless misconstrued the meaning of both my article in the paper and also my letter. I did not call upon you to disprove the charges made by the Winfield paper. In my comments in the paper, I simply called upon you to give this man an opportunity to prove his charges. He says he offered to furnish the evidence to convict Henrie and Poorman, and had asked the county attorney of your county to issue papers for their arrest, but had been refused by that officer. Now, this is either true or false. If you will take the trouble to read my article again you will find that I said, "I cannot believe these charges." I cannot believe these villainous charges made against you, but they are defiantly made, and a simple denial will not satisfy a large portion of our people. The democratic press of the state, and in fact out of the state, is copying this damnable stuff from this paper, week after week, and no effort on the part of the republican press is being made to refute or deny these awful charges. This man does not charge you with being responsible for the explosion, but simply that your knowledge of it is after the fact.

I have not asked you, neither do I expect you to answer these charges through the newspapers; I think such a course beneath the dignity of your station. But what I do believe is this: If this man has been refused the courts as he claims, you can easily apply the remedy. I have a letter from the county attorney at Independence; but he denies none of the charges made concerning this matter, but says: "Owing to the enormous expense an unsuccessful prosecution would be to Montgomery county, I must reserve to myself the right to determine what the evidence offered may prove." If he had not refused, why did he not so state? The evasive manner in which he writes me, notwithstanding it was written for publication, I deemed it best not to publish. I had hoped that he would make a sweeping denial of the whole thing, but I was disappointed.

You seem to think that I am asking you to disprove these charges. Not so. But I feel this way about the matter: If this man is guilty of libel—criminal libel—he can be punished. And if Henrie is one of your appointees and is innocent of the charges, would it not be wise for you not only to advise, but to urge him to take immediate steps to bring this scoundrel to justice, and stop this paper from further circulating these awful charges? In this way the whole matter could be brought to light, and the people could then be their own judges as to who the guilty parties are.

You will please pardon me for inflicting you with this long letter. But I am in earnest, and want to know the truth or falsity of these charges, and so do the people of this state, but have not the nerve (perhaps that is a good word), to ask you to use your influence to this end.

In closing, allow me to say I have too high a regard for you to entertain for one moment a thought that you are in any way connected, or had any knowledge whatever of that Coffeyville explosion, but it is a fact that there was an explosion, and some one is responsible for that crime, and the *Non-Conformist* says that the responsibility rests with the republican party. Then, in view of this fact, have I not the right as a republican to ask for an investigation of criminal charges made against republicans high in authority, or must these demands come from political opponents?

I am a republican from the crown of my head to the soles of my feet, but I cannot stand in silence and allow such charges to be made, and treat them with contempt.

I hope you will fully understand my position in this matter, and believe me,
Yours sincerely, W. E. DOUD.

STATE OF KANSAS, EXECUTIVE DEPARTMENT, }
TOPEKA, KANSAS, July 18, 1889. }

W. E. Doud, Esq., Editor *Republican*, Eureka, Kansas—MY DEAR SIR: The gov-

ernor directs me to acknowledge receipt of yours of the 12th inst., and say that it would have had earlier attention but for his absence from the city. The matter of which you write is being fully investigated, with a view to the punishment of the guilty parties. This work is in the hands of gentlemen who will go to the bottom of the matter, and, as soon as evidence can be had, a full and complete denial will be made, exonerating those charged with complicity in the crime, by the *Non-Conformist*. Of course this will take some time. The governor will confer with you at a later date. In the meantime, communicate with him if you have any information touching this matter. Very respectfully, D. O. McCray, *Executive Clerk*.

Mrs. J. G. COUGHER, being duly sworn to testify to the truth, the whole truth and nothing but the truth, upon the subject-matter under investigation, testified as follows:

By Mr. Henderson: Q. You may state your name to the Committee. A. Mrs. J. G. Cougher.

Q. Are you acquainted with J. G. Cougher, who was upon the witness stand yesterday? A. I am.

Q. What relation do you bear to him? A. I am his wife.

Q. Do you know what business Mr. Cougher was engaged in in 1889? A. He was assistant labor commissioner of the state of Kansas.

Q. During any part of that year were you engaged in work in the office in which he was employed? A. Yes, sir.

Q. What duties did you perform there? A. Such as he instructed me to, such as filling out reports, looking them over and sorting them out.

Q. There as a sub-clerk? A. Yes, sir.

Q. How much of the time during the year that I have mentioned, were you at work in the office? A. I was not at work, but was there the greater part of the time, according to his wishes.

Q. Were you at that time acquainted with one Mr. McCray? A. No, sir, not acquainted.

Q. Did you know him, when you met him? A. I knew him, for I had been told that he was Mr. McCray.

Q. By whom were you informed? A. Mr. Cougher introduced me to him.

Q. Did you learn from any source, what duties he at that time performed? A. He told me he was in the Governor's office.

Q. Are you acquainted with one C. A. Henrie? A. Yes, sir.

Q. Do you see him in the room now? A. Yes, sir.

Q. Is that the gentleman sitting there the other side of Mr. Curtis? [Counsel points to Mr. Henrie.] A. Yes, sir.

Q. How long have you been acquainted with Mr. Henrie? A. A little over two years; since November, or December two years ago.

Q. During that period of time. I will ask you to state to the Committee if you resided in the same house with him? A. I had a room in his house.

Q. Who occupied that room? A. I did, myself.

Q. In company with whom? A. No one, except at times.

Q. Was your husband with you at that time? A. I had no husband at that time.

Q. Are you acquainted with Governor Humphrey? A. No, sir.

Q. Do you know him when you see him? A. I think I would.

Q. Do you remember of having seen him in the office in which you worked in 1889? A. At one time I was told that that was Governor Humphrey.

Q. By who were you so informed? A. Mr. Henrie.

Q. I will ask you now to state to the Committee if you had any conversation

with Mr. McCray in the office of the commissioner of labor, or the labor commissioner, with reference to any affidavit that was then required of Mr. Henrie? A. Yes, sir.

Q. You may state to the Committee when that was. A. I cannot say what time it was—it was in the middle of the summer, perhaps August—when he came to the office. Mr. Henrie was out. I was the only one in the office, as my husband was sick and at home. He asked me where Mr. Henrie was. I told him he had just stepped out and that he would be in presently. He waited a little while, and then went somewhere out of the room. Mr. Henrie did not come, and he came back again in a few moments. Mr. Henrie came, and Mr. McCray handed him these affidavits, telling him he would have to sign it, and told him: "This is the only way out of it." These are the identical words.

Q. Did you have any occasion to examine the affidavits, or either of them, that at that time was delivered to Mr. Henrie? A. I did; one of them.

Q. Were these affidavits left in the office in the custody of any person in the absence of Mr. Henrie? A. No, sir; they were left with Mr. Henrie.

Q. Which affidavit was it that you read? A. The one I read was pertaining—was wanting him to make a denial of the charges that were made against him in this dynamite explosion.

Q. Who do you mean when you refer to "him"? A. Mr. Henrie.

Q. I will ask you to examine the affidavit herein contained, [calling witness's attention to exhibit 6, at the bottom of column three of page one,] and state to this Committee whether or not that is a copy of the affidavit which you read, or the one to which you refer? A. That is just as near as I can remember it.

[The affidavit referred to in exhibit 6 is here marked exhibit 31, offered in evidence, and was as follows:]

[EXHIBIT 31.]

STATE OF KANSAS, COUNTY OF SHAWNEE, ss.

C. A. Henrie, of lawful age, being duly sworn, says: I am a resident of Topeka, Shawnee county, Kansas, and have been a resident of said city for the past year or more; have read charges and insinuations as published by Vincent Brothers in the *Non-Conformist*, a weekly paper published at Winfield, Cowley county, Kansas, connecting me as a participant in what is commonly known as the "Coffeyville Dynamite Explosion," which occurred on or about October 18, 1888.

C. A. Henrie further says that such charge or charges, direct or indirect, so far as they concern or refer to him, are entirely and absolutely false; that he never was in Coffeyville in his life; that he never had any consultation or communication, direct or indirect, with E. P. Greer or George W. Poorman, either before or after the aforementioned "Coffeyville Dynamite Explosion," concerning said explosion; that he was at his home in Topeka for days preceding and following said explosion, which occurred on or about the before-written date; that he never did or does he now know anything about said explosion, except what he has read in the public prints. And further deponent says not.

C. A. HENRIE.

Subscribed in my presence and sworn to before me, this 5th day of August, 1889.

(Seal.)

W. E. STERN, Clerk District Court, Shawnee Co., Kas.

Q. Do you remember how many affidavits were presented to Mr. Henrie by Mr. McCray at the time of the conversation to which we have already referred? A. Two.

Q. Do you remember what time of day it was that Mr. McCray and Mr. Henrie had the conversation in relation to the affidavit about which you have just testified?

A. I do not know just what time it was; in the forenoon, near noon.

Q. Did you observe what Mr. Henrie did with the affidavits at that time? A. He put them in his pocket.

Q. Did you see them afterward? A. One of them.

Q. When, with reference to the conversation between himself and Mr. McCray? A. After that. He just handed them to my husband when he got able to come to the office to read, and, laughing, Mr. Cougher said to him, "Can you swear to that?" Henrie laughed back and said, "I can swear to anything."

Q. When did that conversation take place? A. Soon after the affidavits were brought in there in the middle of the summer.

Q. You do not remember how many days? A. No, sir; it was soon afterward.

Q. Do you remember the fact of the publication and circulation of a book called "The Red Book"? A. Yes, sir.

Q. Published and circulated by the Vincent brothers? A. Yes, sir; I remember of seeing it in the office when it was handed around to read.

Q. Do you remember of hearing any conversation between your husband and Mr. Henrie in reference to the contents of that book? A. Yes, sir.

Q. What was that conversation, or those conversations, in substance? A. Well, it was only in regard to what the book was written about, exposing Mr. Henrie and claiming he was the guilty man.

Q. What did Mr. Henrie say in answer to the charges contained in the red book against himself? A. Well, he said he did not give (with an oath), that he got a job, anyway.

Q. What job did he refer to? A. I supposed he referred to the clerkship in the labor bureau department.

Q. Was it a common thing for your husband and Mr. Henrie to converse with reference to the contents of this book? A. It was an every-day subject.

Q. In that connection was there anything said about Mrs. Lucy Barlow? A. No, sir, that was prior to that.

Q. Well, you may state what was said by Mr. Henrie with reference to Mrs. Lucy Barlow. A. The only recollection I have of anything was in Mr. Henrie's house, and we were speaking about her having the room that I had, and he saying that he could get an affidavit from her.

Q. Do you remember what he said as to the character or kind of affidavit he could obtain from her? A. No, sir.

Q. Do you remember whether or not he said in that conversation, or any conversation you had with him, or heard between himself and any other person, that she would swear to anything that he desired? A. No, sir.

Q. Did you ever hear Mr. Henrie say to any person in your presence, or to yourself, the object of the dynamite that exploded in Coffeyville? A. I never heard Mr. Henrie say anything about that.

Q. Did you ever have any conversations with any person with reference to the object? A. I did with Mr. Cougher.

Q. When was that with reference to the publication of the book that had been designated as "The Red Book"? A. Sometime afterwards.

Q. What was that conversation?

Mr. Bartis objected to the reception of this testimony on the ground that it calls for a conversation between husband and wife, and is clearly incompetent; mere hearsay evidence, and too remote to be of any value to the Committee.

Senator Kimball said he thought the testimony ought to be excluded.

The objection was overruled by the Committee, and the witness was directed to answer.

A. He said the object was to deposit it in the *Courier* office at Winfield, Kansas, and finally inure the Vincent brothers.

Q. Did he in that conversation state to you anything that Mr. Henrie had said to him in reference to that matter? A. No, sir.

Q. In that or any other conversation, was there anything said about the person who delivered the box of dynamite to the express agent at Coffeyville? A. Between Mr. Cougher and myself? Yes, sir.

Q. You may state to the committee what that was. A. He said, "Mr. Henrie was the man;" these words.

Q. Did you have any conversation with Mr. Henrie, or did you hear any conversation between your husband and Mr. Henrie, in which Mr. Henrie said anything in reference to the fact of his visit to Winfield, Kansas, at any time during the year 1888? A. Nothing, only that he admitted that he had been there.

Q. What did he say in connection with the fact of his visit to Winfield? A. Nothing more than that he had been there.

Q. Was there anything said about what he handed the boys? A. He said he had a drink with the boys.

Q. Did you hear Mr. Henrie make that remark yourself? A. I did.

Q. Did you hear Mr. Henrie say anything about where he stopped when in Coffeyville at the time of the delivery of the box of dynamite there to the express agent? A. Nothing more than that Mr. Cougher laughed and said to Mr. Henrie, "Where did you stop while at Coffeyville?" Mr. Henrie stated the name of the hotel, but I do not remember what it was.

Q. State to the Committee if you heard any conversation between your husband and Mr. Henrie, immediately before the adjournment of the legislature of this state two years ago. A. Yes, sir.

Q. And if that conversation referred to his appointment, you may state what was said. A. Mr. Cougher came down and I was in the room; Mr. Cougher said to Mr. Henrie, "I do not believe you will get a job." Mr. Henrie said, "I will; they dare not refuse me now."

Q. In any conversation between Mr. Henrie and your husband were there names of other persons mentioned in connection with this Coffeyville dynamite explosion? A. Yes, sir, two others.

Q. You may state the names of these persons. A. One was Mr. Hutchins, and one was Mr. Greer.

Q. Do you remember what was said, and in what connection these names were mentioned? A. Nothing more than that they would be of assistance to him in getting his position.

Q. Was there anything said, in that connection, as to the parties named being compelled to aid him? A. No, sir.

Q. Was there anything said in that conversation with reference to the republican state central committee? A. Never heard it talked about.

Q. Generally, and in connection with this matter? A. Yes, sir.

Q. Can you call to mind any special statements of facts that were made by Mr. Henrie to your husband in your presence in relation to the republican state central committee? A. No, sir.

Q. Do you state to the Committee that you have not even heard it spoken of? A. Yes, sir.

Q. Prior to the delivery to Mr. Henrie of the affidavits about which you have already testified, I will ask you to state to the Committee if Governor Humphrey came in the office where you were? A. At one time.

Q. When was that in reference to the time of the execution of the affidavits in question? A. It was before the execution, as they had not been signed yet; he said they would have to be signed.

Q You may state to the Committee what the governor said when he came into the room. A. Well, he just said, "Sign them;" that is all I heard.

By Mr. Curtis: Q. Where are you living now? A. Salida, Colorado.

Q. When did you come to this city? A. Last Monday.

Q. Where have you been stopping since? A. At number 711 Quincy street, at my mother's.

Q. Do you know Mr. Vincent, sitting by you? A. Monday night I was introduced to him in a lawyer's office.

Q. Are you living with your husband now? A. No, sir.

Q. How long since you lived with your husband? A. It has been little over a year—about thirteen months.

Q. Were you living with him when you occupied rooms in the house that Mr. Henrie lived in? A. No, sir.

Q. Where were you living at the time you worked or assisted in the office? A. On Buchanan street.

Q. What are the feelings that exist now between yourself and your husband? A. They are not the most pleasant in the world.

Q. What is the feeling existing between yourself and Mr. Henrie? A. All right; I have no personal feeling against him.

Q. You say that Mr. Henrie said or admitted that he had been to Coffeyville? A. He admitted it to my husband in my presence.

Q. When was it that he spoke about having been down to Winfield? A. It was just after this book was published, and the statement was going around through the papers, and was daily talk.

Q. Was that at the same time he admitted to have been down to Coffeyville? A. No, sir, there might have been two or three days difference.

Q. You say that your husband asked him where he stopped in Coffeyville, in a joking manner? A. Yes, sir.

Q. Is it not a fact that most of the talk that was had there in the office about this red book was in a joking manner? A. Not all of it.

Q. Well, was it not all with reference to the connection that Mr. Henrie had in the matter? A. It did not seem to worry him.

Q. Was it not like other matters published about a person reflecting upon their character, and they did not like to say anything about it only in a joking manner? A. He did not like to hurt his feelings any more than was necessary.

Q. How did Mr. Henrie reply to your husband, in reference to the hotel he stopped at? A. Candidly he told where he stopped, but I do not remember.

Q. Was it at the Bobbitt House? A. I would not undertake to say.

Q. Does that sound like it? A. I do not know.

Q. Is that the time he claimed he drank with the boys? A. No, sir, at Winfield.

Q. Were these affidavits signed at the time Mr. McCray had them in the office? A. Certainly not.

Q. How many days after were they signed, if you know? A. I do not know.

Q. Was the one signed at the time you read it over? A. I read it once before it was signed, and once afterward.

Q. It was not hid in the office from you, was it? A. I never looked for it; I do not know whether it was or not.

Q. In whose hand-writing was that affidavit? A. I do not know.

Q. Was it in Mr. Henrie's hand-writing? A. I do not know. I would not know his hand-writing; although I have seen it a great deal in the office, I would not know it, if I should see it now.

Q. Did Mr. McCray bring it there already prepared? A. All except the signing, to the best of my knowledge.

Q. Isn't it a fact that he came in there and talked about it, and that Mr. Henrie, after he had talked with him, prepared the affidavit, and then Mr. McCray brought them in? A. I do not know how that was fixed.

Q. They were not signed at the time they brought them in to Mr. Henrie? A. No, sir.

Q. Was the one you read written out on the type-writer or in longhand? A. It was just a blank affidavit and prepared —

Q. What do you mean, were the dates in? A. Just the blank places for his name and date.

Q. The dates above and below? A. All of them.

Q. Was there any printed matter upon the affidavit? A. Yes, sir.

Q. What part was printed? A. It was a blank affidavit; that is, all the printing that was on it, and the rest was filled in writing.

Q. Was the printed matter on it a letter-head? A. Yes, sir.

Q. Was not part of the affidavit printed? A. I think not.

Q. What was the letter-head? A. It was not a letter-head, it was a blank affidavit.

Q. I understood you to say it was a letter-head? A. It was not a letter-head, no, sir, it was a blank affidavit.

Q. What kind of paper was it written on, if you remember? A. It was copied on paper something like letter-head; it was on broad, flat paper.

Q. Not on legal cap? A. No, sir, on broad flat paper.

Q. Do you remember the printed matter that was on it? No, sir.

Q. You are sure there was some printed matter about the affidavit, are you? A. Very few words.

Q. Did Mr. Sterne come over to the office and swear Mr. Henrie to it? A. No, sir.

Q. He was not sworn to it in the office? A. No, sir.

Q. How many times was the governor in the office to see him? A. Only one time, to my knowledge.

Q. Is that the gentleman you called the governor [pointing to Mr. McCray]? A. No, sir.

Q. Who do you say that gentleman is? A. That is Mr. McCray.

Q. How many times was Mr. McCray in the office to see Mr. Henrie? A. Only one time when he made his business known to me.

Q. Was the governor in the office at any time to see Mr. Henrie? A. That gentleman never was [pointing to the governor].

Q. That gentleman is Governor Humphrey, and you say he was never in there to see Mr. Henrie? A. No, sir.

Q. You say now that Mr. McCray was never in to see Mr. Henrie but once about this matter? A. Not to my knowledge. He was in twice the same day; he went out and came back.

Q. You say your husband told you? A. No, sir.

Q. The gentleman that Mr. Henrie told you was Governor Humphrey was not him? A. Not this man [pointing to the governor].

Q. How long were you in the office helping your husband? A. I did a great deal of the work there the greater part of the summer of 1889.

Q. Were you then married to your husband at that time? A. No, sir.

Q. Did you marry him afterward? A. Yes, sir.

Q. When did you marry him, Mrs. Cougher? A. I do not remember.

Q. Near as you can? A. It was the 6th day of October, 1889.

Q. How long did you live with him? A. Until the 15th of January or February, 1890.

Q. Then you only lived with him about three months? A. We were married, if I have to state it all, and it was not legal, and we were married over again.

Q. Did you live together as husband and wife after this first marriage? A. Yes, sir.

Q. Why was not your marriage legal? A. Because the right time had not expired after he had a divorce from his first wife.

Q. The six months had not expired? A. No, sir.

Q. What was it Mr. McCray said about the affidavit? A. He says, "Mr. Henrie, you will have to sign these; it is the only way out of it for us."

Q. This, you say, is the affidavit you read? A. Yes, sir; as near as I can remember.

Q. He did not tell him he would have to sign both affidavits? Was it not both to which he referred when he said he would have to sign them? A. Yes, sir.

Q. Was there anything talked over about his being able to get Mr. Coddling to sign the affidavit? A. No, sir; not that I remember.

Q. What was said about the other affidavit? A. Nothing.

Q. Did you see what purported to be a second affidavit? A. No, sir; only Mr. Henry said there were two.

Q. When did he tell you there were two affidavits? He said it the next morning to Mr. Cougher; he did not tell me.

Q. Was there a good deal of talking back and forth after the red-book was published by the parties in the office? A. Yes, sir.

Q. Did he say anything about the Vidette expose when you were there? A. I heard it talked of.

Q. You heard him say, did you not, that he was in the city of Topeka on the 18th day of October, 1888? A. No, sir.

Q. You heard him say he wrote the expose that was published? A. No, sir; I did not charge my mind with it, I simply heard it talked of.

Q. Did you ever hear him tell anybody where he was on the 18th day of October, 1888? A. I do not remember anything about dates.

Q. Did he say which of the boys helped him drink up the whiskey in Winfield? A. No, sir.

Q. Did he say anything about visiting the Vincent brothers in Winfield? A. No, sir.

Q. Was Mr. Cougher your first husband? A. No, sir.

Q. How many times had you been married before you married him? A. Once.

Q. Who was present when you had the conversation with your husband and he told you what was to be done with this box? A. Mrs. and Mr. Hoag from Newton, were at our house.

Q. Were they there when the conversation took place? A. Yes, sir; they were right at the table.

Q. Who was there when Henrie stated to your husband the name of the hotel he had stopped at at Coffeyville? A. No one but just us three.

Q. Mr. Henrie, yourself and husband? A. Yes, sir.

Q. Who was there when Mr. McCray brought in the affidavits? A. I was there all alone when he first came down, and Mr. Henrie came in as third party.

Q. Anyone else? A. No one; no sir.

Q. Who was present when your husband told Mr. Henrie he did not believe he was going to get a job, and Mr. Henrie said they would have to give him a job? A. Just us three.

Q. Mr. Henrie, yourself and husband? A. Yes, sir.

Q. Was anybody else present during any other conversation between your husband and yourself and Mr. Henrie, except those two from Newton? A. At one time Mr. Whitley was.

Q. When was that? A. It was in the office one day after this book came out, and the subject was up.

Q. Well, what was said about it then? A. About what?

Q. About the book, or about Mr. Henrie? A. They were discussing the subject.

Q. Do you remember what was said? A. Nothing in particular.

Q. Who was by when Mr. Henrie said he would swear to anything? A. No one except Mr. Henrie, Mr. Cougher, and myself.

By Mr. Henderson: Q. I will ask you to state to the Committee if you ever heard any conversation between Mr. Henrie and your husband, or whether there was any conversation between yourself and husband about dynamite and its explosive powers, other than you have already stated? A. No, sir.

Q. You may now state to the Committee how many children you have. A. Four.

Q. What are their ages? A. One of them is 19, one will be 17 in May, one 12, and the other 10 in July.

Q. Where are they now? A. They are all here except one.

Q. Which ones, designating them by age, are now here? A. The ones that are 19, 12, and 10.

Q. Are any of them here in the room. A. Yes, sir, two of them. (Having her children stand up.)

Q. Where is the other? A. In Colorado.

Q. What is he doing? A. Learning the jeweler's trade.

Q. You state to the committee that the person pointed out to you as Governor Humphrey was not the person who called at the office of commissioner of labor, now you may state what description was given of Governor Humphrey to you by Henrie, at the time you were informed that the person pointed out was Governor Humphrey. A. He did not give any description; I asked Mr. Henrie, when the gentleman went out, who he was, and he said he was Governor Humphrey.

Q. Describe that gentleman to the Committee. A. He was a large man, and had a mustache, and not as old a man as Governor Humphrey; that is about all that I noticed.

Q. Are you acquainted with William Higgins, secretary of state. A. No, sir.

The witness was here excused.

GOVERNOR LYMAN U. HUMPHREY, being duly sworn to testify to the truth, the whole truth, and nothing but the truth upon the subject-matter under investigation, testified as follows:

Examined by Mr. Henderson: Q. You may state your name to the Committee. A. My name is Lyman U. Humphrey.

Q. You are the present governor of the state of Kansas? A. I am.

Q. You were elected first in 1888? A. November, 1888.

Q. Are you acquainted with Mr. C. A. Henrie? A. I know him, yes sir.

Q. Were you acquainted with him prior to your inauguration in 1889? A. I had met him perhaps three or four times prior to that.

Q. Can you now designate any one place that you met him prior to your inauguration? A. I could not be very positive. I think I met him once or so; may be once in the rooms of the Republican central committee about the time that the campaign commenced in the fall of 1888.

Q. That was before the election? A. Yes, sir, it must have been, because after the campaign commenced I do not think I was in Topeka, or only to pass through it.

Q. By whom were you then introduced to him? A. I do not think I had any formal introduction to him. My recollection is that I saw him among the crowd who were in the habit of frequenting the headquarters of the Republican committee.

Q. Do you remember about what time that was? A. Why, it would be a mere approximation. My recollection is the campaign that year was formally opened in the early part of September, and it must have been shortly before that, perhaps a week.

Q. Were you at that time informed as to his presence at the republican state central committee's headquarters? A. The object of his being present:

Q. Yes, sir. A. No, I do not think I was.

Q. Did you then have any conversation with him in relation to the then incoming campaign? A. No, sir; nothing except possibly in a casual way.

Q. When did you next meet him? A. Well, I could not say, I have no recollection; I am quite positive that I did not see him during the campaign, after that.

Q. Then you are now satisfied that you saw him no more until after the close of the campaign? A. I have no recollection of ever seeing him, and I am quite confident that I did not, because I think from the day the campaign opened I was out in the campaign, and I think I was only home once during the eight or nine weeks, and I think I only visited Topeka once, and that was in passing through to some other part of the field, and am quite positive I did not see him during the campaign.

Q. Can you now call to mind the first time you met him at which time you had a conversation with him after the campaign? A. I do not believe I could fix any time.

Q. Can you approximate? A. No, sir; I cannot do it.

Q. When was it with reference to your inauguration? A. I cannot recollect any meeting or conversation with Mr. Henrie; I could not locate any time or place, or could not definitely recall any meeting or conversation with him prior to my inauguration; my impressions now are, having given the matter no special thought, that after refreshing my recollection, that the next thing that I heard of Mr. Henrie was after I was in office. I may be mistaken about that.

Q. You may state to the Committee, Governor, the time and place at which you had the first conversation with Mr. Henrie that you now have a distinct recollection of? A. About the first recollection of that kind I think was after I was in office some considerable time when his name was suggested to me in connection with some clerkship.

Q. Who suggested his name to you first as a person proper to be appointed to the clerkship mentioned by you in your last answer? A. I can only be safe in mentioning one name that I recollect—the one I am quite positive of; several parties casually mentioned it to me, and these things were almost a matter of hourly occurrence during the first month after I was inaugurated; I think Mr. Hutchins mentioned it to me first.

Q. Mr. Bion S. Hutchins? A. Yes, sir.

Q. Was Mr. Henrie with him at the time he first spoke to you about him? A. Well, if he was I do not remember it.

Q. Was your conversation with Mr. Henrie prior to your conversation with Mr. Hutchins, wherein he requested the appointment of Mr. Henrie to office? A. It would be very hard for me to state definitely about that; my best recollection is that I had no conversation with Mr. Henrie on the subject of the clerkship until after the name had been mentioned by Hutchins.

Q. Do you now remember who formally presented Mr. Henrie to you? A. No, sir; I could not undertake to state that.

Q. Was it Mr. Hutchins, or Mr. Booth? A. I cannot undertake to answer that. I would like to state, in the way of explanation, that during the session of the legislature, immediately following my inauguration, that the matter of application for appointments of various kinds were matters of almost hourly occurrence; in fact, I spent days in talking to men about these matters, and, unless the application was in writing, my recollection is somewhat vague.

Q. Can you call to mind the first conversation you had with Mr. Hutchins, with reference to the appointment of Mr. Henrie to any office? A. I could not undertake to recite anything special that was said. If I should give my best recollection, it would be simply that Mr. Henrie was stating who he was, and giving some reasons why he should be recognized for some clerkship. I cannot undertake to recollect definitely the conversation; my best recollection would be in substance, it was the usual program, that he should like to see Mr. Henrie have a clerkship, or some position of some kind. I cannot repeat, with any degree of accuracy, what was said.

Do you remember what particular position he requested of you, for Mr. Henrie? A. Well, my best recollection is, that I, — as it frequently occurs, — in this case said that I did not know of any position I had for him. The suggestion was made, that there might be a vacant clerkship in the office of the bureau of labor, and Mr. Henrie, having been identified with the labor organizations of the State and the laboring people of the State, perhaps it would be a pleasant position for him, and also pleasant to the people who had a special interest in that bureau; and in that connection, if you will permit me to state, to illustrate how casually these things are done sometimes as far as I am concerned, I will say, that sometime since a clerk was put in that office whom I do not know; I simply knew the fact that there was a vacancy and I referred them to the chief of the bureau, and I understand he has been put in there, and yet, I do not know his name. I simply speak of this as an illustration.

Q. Can you call to mind the number of applications then pending before you for the appointment as chief of that labor bureau? A. I could not undertake to state that correctly, the files of my office would show all applications of that character, for all were filed and preserved until the application was withdrawn by the party. If it is important I will furnish you the information when I go back to the office; there were other applications.

Q. Do you remember whether or not at that time any conditions were attached to the person who should receive that appointment? A. I do not remember of any except that he had to do his duty.

Q. Was the fact as to who should be his under-officer or clerk, discussed at all? A. Not that I have any recollection of.

Q. In order to refresh your recollection now, I will ask you to state to the Committee if it is not a fact that Mr. Booth, Mr. Hutchins, and Mr. E. P. Greer, and other prominent Republicans in this city, demanded that Mr. Betton should receive the appointment as his own successor only upon the condition that Mr. Henrie should have a clerkship in that office? A. No, sir; I do not allow a man to make that kind of a demand on me.

Q. Do you now say to this Committee that such matters were not talked of in your presence? A. I do not mean to say that the application of Mr. Henrie might not have been talked about between Mr. Hutchins and other parties in my presence, but no condition of that kind was attached to the appointment of Mr. Betton.

Q. Was it not understood, between yourself as the executive of this state and the

persons whom I have mentioned, that whoever should be the successor of Mr. Betton should give Mr. Henrie a position in that office? A. No, sir.

Q. You have no recollection of any such talk, or any such understanding, or any such conditions? A. No, sir.

Q. Did you ever have any conversation with Mr. Henrie in which this Coffeyville dynamite explosion was the subject or topic of discussion? A. Well, I think I had a conversation with Mr. Henrie later on.

Q. When was that conversation, and where? A. Well, I cannot give the date; but I can state when it was, with reference to another fact.

Q. About when? A. It was prior to the article or publication issued by Mr. Greer's paper: it seems to me it was the following summer previous to September 9th, 1889.

Q. Where was that conversation? A. Well, I think it was in my office.

Q. At whose instance did Mr. Henrie come to your office? A. I am not able to state that. He came in there occasionally. I do not think I sent for him. I do not know as anybody was with him when he came in.

Q. Do you remember whether or not he came there on any particular business? A. I do not recall any.

Q. Can you now recollect who introduced the subject of conversation referring to the Coffeyville dynamite explosion? A. I can tell you how the subject was suggested to my mind.

Q. Have you now no recollection as to what circumstances suggested that as the topic of conversation between yourself and Mr. Henrie? A. My recollection now is, that I had had some correspondence with one or two parties who had written me with reference to certain articles that had been published by opposition newspapers, undertaking to charge some measure of responsibility for the Coffeyville dynamite explosion upon some prominent Republicans; and I think I had had a correspondence particularly with an editor at Eureka, Mr. Doud, who had written to me about certain assertions in newspapers on the line that I have suggested, and rather suggested that there ought to be some reply by way of newspaper publication. My attention had been called to these allegations or charges, and in fact it was a matter of frequent conversation. Going back to the conversation with Henrie of which you spoke, I have no recollection now of anything very significant about that conversation, except with reference to the publication, and asking him what he knew about it, or something of that kind.

Committee adjourned until two o'clock P. M.

WEDNESDAY, March 4th, 2 P. M.

Committee convened; a quorum present. Governor Humphrey testified as follows:

Examined by Mr. Henderson: Q. Since the adjournment, Governor Humphrey, would you now be enabled to state whether or not Mr. Henrie's visit was made to your office was not at your special solicitation? A. I have taken no steps to refresh my memory on that subject, and am not able to state whether it was or not; It might have been, but I cannot state positively.

Q. Calling your attention, now, to the communication received by you from W. E. Doud, of Eureka, dated July 5, 1889, I will ask you with reference to the date of that communication, if you remember whether your conference with Mr. Henrie was prior to or succeeding that date? A. I have no means of saying, it was about that time, I should think; It was probably after, because I think it was such inquiries as

Mr. Doud made, that suggested the matter to my mind; therefore, I reason that the conversation with him was after that time, still it might not have been.

Q. Had you prior to that date had, any correspondence with Mr. E. P. Greer, of Winfield, with reference to this question? A. Prior to the Doud letter?

Q. Yes, sir. A. Well I had about that time; I am not able to state whether it was after or before the Doud letter, but it was about that time.

Q. Was that correspondence solicited upon your part, or upon the part of Mr. Greer? A. My recollection is that I wrote to Mr. Greer upon the subject first.

Q. Did you retain a copy of the letter written to Mr. Greer? A. I expect I did; I retain copies of all my correspondence in the office; that was in the nature of a personal correspondence, but I preserved, I think, a copy of that; I know I am very careful in reference to all official correspondence.

Q. Have you his answer to your inquiry on file in your office? A. I probably have; I have made no examination of my letter files in reference to it, but simply stating from my habit in that respect, I should judge that I have.

Q. Can you now call to mind how many letters you received from Mr. Greer upon that subject during the month of July, 1889? A. No, I could not.

Q. Was it more than one? A. Of course I could not state positively that I had any correspondence with him in July.

Q. Is it not a fact that on the second day of July, 1889, you wrote to E. P. Greer, Bion Hutchins, Henry Booth, and other prominent republicans of the state of Kansas, to meet with you at Topeka, for the purpose of holding a consultation in relation to the so-called Coffeyville dynamite explosion, and the publication thereon by the Vincent brothers, of Winfield? A. If you regard the date in your question as material, I cannot state that it is true; of course I have not referred to my correspondence during that time since, and it would be pretty difficult for me to say that I wrote to anybody on that day.

Q. Did you, at any time during the year 1889, correspond with the persons, or either of them mentioned in my former question, in relation to a conference concerning the Coffeyville dynamite explosion, and Mr. Henrie's connection therewith? A. The only correspondence of that kind that I am positive about is with Mr. Greer, and it is possible that I might have written to other parties, at that time prominent in the campaign, on the subject, but I remember Mr. Greer; that is the only correspondence I could state positively with reference to.

Q. How many different letters passed between you and Mr. Greer upon that subject? A. I don't know.

Q. Are you now able to state whether or not there was more than one letter from each of you? A. No, I could not tell.

Q. Have you in your office or in your possession a copy of such correspondence between yourself and Mr. Greer? A. I stated awhile ago that, judging from my habit in these matters, I expect I have.

Q. Have you on file in your office the letters received from Mr. Greer upon that subject? A. In the same way, I presume I have; my habit is to preserve my correspondence.

Q. Will you produce, before this Committee, copies of all letters written by you to Mr. Greer, Mr. Hutchins, Mr. Booth, or any other persons in the state of Kansas, upon that subject, together with the answers thereto? A. So far as I know there is no reason why I should not; of course the correspondence was purely of a personal character, and I have not referred to it since it was written. I cannot undertake, except in a general way, to tell the contents of the letters, but I will hunt them up.

Q. To refresh your recollection, I will ask you to state if there was not a meeting of republicans after the first of July, in 1889, and prior to the tenth of the same

month in the city of Topeka, at which time this Coffeyville dynamite explosion matter was thoroughly canvassed and discussed? A. Without being able to state the date except approximately, I will say, sometime prior to this publication to which reference was made this forenoon, as about September 9th, and I think about the time the correspondence to which attention has been called with Mr. Doud, I remember of having had a conversation, or conference, with some parties in my office and at the Copeland hotel, only two of whom I can remember distinctly. I think they were Mr. E. P. Greer and W. P. Hackney, both of Winfield, Kansas. In this conversation these newspaper charges were discussed, especially the intent to inculcate the republican party, or some persons in the republican party, in connection with the Coffeyville explosion; and the principal question that we talked about was, whether or not any body should be called upon by the mere publication of that kind of stuff to make any formal or specific reply, and in view of a few letters I had received in the line of Mr. Doud's, I suppose I suggested that somebody should call a halt, so far as it might be done, and publish the facts in the case in the way of a reply to those charges. I think it was perhaps on my request or suggestion that Mr. Greer did that.

Q. Was there anything said in that conference about the procurement of any affidavit? A. Well, I am not able to state positively what was said about that. I recall that I had in my mind specially what the charges were, with reference to Mr. Henrie, and I recollect I was inquiring as to his whereabouts at the time of the explosion, and what the facts were about that, and I think it was suggested that it could be shown that he was here or some place else; I think it was very likely suggested to make a showing by affidavit, such a showing as could be conveniently made by way of refutation.

Q. Do you remember whether Mr. Henrie was present during that conference? A. I cannot remember that he was.

Q. Do you say to this Committee that he was not present? A. No; I am not able to state whether he was or not; there might have been other persons present, I do not remember. I remember Mr. Greer, because—

Q. Was Mr. Hutchins present? A. It is possible; I cannot tell positively, I have an impression that the conference that I speak of was either on Sunday or some holiday; seems to me I recall that the office was closed up, and part of the conversation took place at the hotel, and then we walked over to the office and talked about it; but I am not positive.

Q. As a matter of fact was it not on the 4th day of July? A. I am not able to state; but I have an impression that it was a holiday and that the office was closed.

Q. Mr. Greer and Mr. Hackney came to this city at your solicitation at that time? A. I think Mr. Greer did, and I remember of writing to Mr. Greer, and I suppose his coming was from that.

Q. Now, was the necessity of the affidavit of Mr. Henrie discussed at that meeting? A. I do not know that any special importance was attached to it, but I think that it was said that Mr. Henrie could show by his own testimony and that of other people that he was not in Coffeyville, as it had been alleged that he was.

Q. Was the affidavit of any person other than Mr. Henrie's discussed at that meeting? A. It seems to me that—I do not know as any particular affidavits were discussed, but it seems to me that the testimony, or what could be shown by the testimony of this man Poorman, was discussed. I never saw Poorman in my life; I simply recollect his name.

Q. Was the testimony of a Mrs. Lucy Barlow discussed at that meeting? A. I do not believe that I ever heard her name before.

Q. Do you remember how long after this conference it was that the affidavits dis-

oussed at that meeting were reduced to writing? A. I could not state about that; in fact, I do not think I ever saw the affidavits.

Q. Do you now remember who prepared the affidavits? A. No, sir; I do not.

Q. Did you ever solicit the services of any one to prepare the affidavits of Mr. Henrie and Mrs. Lucy Barlow, or Mr. Coddington, or either of them? A. I have no recollection of doing anything of the kind, except so far as it might have been suggested in the conference when Mr. Hackney was present, that if it was deemed advisable to prepare anything in the way of a reply to these charges or on that subject so far as it might have been suggested that Mr. Hackney being an attorney should assist in preparing the matter if it was deemed best to make a reply.

Q. Do you know Leland J. Webb? A. I do.

Q. State to the Committee if you personally at any time requested him to prepare any affidavit for Mr. Henrie? A. I have no clear recollection about that; I think it probable that I talked with Mr. Webb about the matter, and it seems to me that I did have some conversation about it.

Q. Is it not a fact, Governor, that you said to Mr. Webb that you wished he would proceed immediately to prepare these affidavits, and he responded thereto, "What is your hurry about this matter?" and you said in substance in reply thereto, "We are afraid that Mr. Henrie might go back on us," or words to that effect? A. No, sir; as a whole it is not true.

Q. Is any part true? A. No more than this: it is quite probable, Mr. Webb being a republican, and being with me quite often at that time, that I might have conversed with him about the general subject of making some reply to these charges I speak about; and I have a sort of vague recollection that he had something to do with that. The fact is, I gave it very little personal attention, the preparation of this refutation or publication that I speak of, yet I think I talked more with Mr. Greer than anyone else; I recollect that I for a good while insisted that a man ought not to be put upon his defense by charges of that kind by mere newspaper declarations, but that some people seemed inclined to reverse the rule which is observed in judicial proceedings, which presumes that every man is innocent, and to expect him to reply to and deny all kinds of political accusations, and it was in deference to these good people, like Brother Doud, who seemed to think that rule ought to be reversed, that I consented to give any attention to the matter at all, and I of course might have suggested the same thing in regard to preparing the affidavit as the best method of making a showing as conclusive and satisfactory as possible, but I cannot undertake now to state the names of parties to whom I might have talked upon the subject.

Q. Do you remember, Governor, who first introduced the conversation between yourself and Mr. Leland J. Webb? A. No, sir, I cannot tell that, I do not remember.

Q. Do you remember where the conversation took place? A. No, I cannot state that.

Q. Was it in the executive office, or was it in the law office of Mr. Webb? A. I cannot answer that, I do not remember of being in the office of Mr. Webb; it seems to me as a matter of recollection, that Mr. Webb's name was used or suggested in the conversation that was had at the time I speak of, when Mr. Greer and Mr. Hackney were there, whatever day it was, and still I am not certain; life has been too full of more important things since that time, and I could not remember all the details.

Q. That conversation or conference took place after Mr. Henrie had been appointed clerk in the office of the Commissioner of Labor?

(The stenographer heard no answer to this question.)

Q. You were of course familiar at the time of your inauguration, as to the vari-

ous departments of State, were you not, more or less, I mean? A. I had a fair knowledge of those subjects.

Q. Did you at that time know what provision had been made, prior to your inauguration, as to the commissioner, and the help that was necessary in that department? A. Prior to my inauguration?

Q. Yes, sir. A. No, sir; I do not think I was at that time. I do not think I knew at that time exactly the amount of help he had in his office. I knew Mr. Betton very well, and had something to do with procuring him the office.

Q. Is it not a fact that after your inauguration, and during the session of the legislature two years ago, that there was a special appropriation made, the object of which being to create a position for Mr. Henrie and funds to pay for such services? A. I never looked up the appropriation at that time. I will state that of course I had only been in office a few days at that time; the legislature, in fact, was in session about a week before I came into office. I do not remember to this day to have ever been in the office of the commissioner of labor; I do not think I knew where it was situated in the state house. I have this impression, that when the question of employing Mr. Henrie was suggested, that I referred the parties at once to Mr. Betton as the chief of that bureau, and somebody either informed me that the appropriation for clerk hire was made in bulk, leaving it to the chief to employ such help as he chose, and to apportion the salaries; and it was under such an arrangement as that that Mr. Henrie should be employed.

Q. Is it not a fact that by an act of the legislature two years ago, and your approval thereof as executive of the state, an appropriation was made, \$2,000 in excess of that which had been two years prior thereto, and that the sole object thereof was to provide a fund with which Mr. Henrie should be paid? A. I have no knowledge of that fact.

Q. Is it not a fact that in each and every department in the state that in the appropriation therefor the items were given and the amounts for each particular purpose therein stated, save and except for the commissioner of labor, where the amount was given in gross, and some \$2,000 in excess of that which it was two years immediately before that? A. Well, if you mean by that to know whether I furnished the estimate, it is the habit of the heads of the various departments to furnish to the Ways and Means Committee some sort of an estimate of the expenses of their offices, and sometimes it is received, and sometimes it is not. Mr. Betton's office would not be included in mine, and so I have no knowledge of his office at all.

Q. You approved the bill that appropriated the sums necessary for the services rendered in the department of the commissioner of labor, for the years 1889 and 1890, did you not? A. I approved all these bills as I do all appropriation bills without any special examination of the items, after they had been passed by the Ways and Means Committee.

Q. Have you any recollection of holding conference or conversation with any person in relation to the appropriation and the amount thereof necessary for that particular department, referring now to the session of the legislature in January, 1889? A. I do not recollect any such conversation as that?

Q. That is the letter you wrote to Mr. Doud? [Calling witness's attention to a letter dated at the Executive Department of State, Topeka, Kansas, July 9th, 1889, and addressed to W. E. Doud, Esq., Eureka, Kansas, as found in Exhibit 30.] A. Yes, sir.

Q. I will ask you, Governor, what you meant by the following language, found in the letter to which your attention has been called: "In due time, a week or so hence, as soon as the material can be collected and collated, a general reply will be made to the whole matter, not over my name, however, but by one of the prominent mem-

bers so charged." A. I had reference to Mr. Greer, as the party; and I had reference to the reply, to which allusion has already been made, and about which some consultation was had at the time I speak of, when Mr. Greer, Mr. Hackney and myself were together. I did not expect to reply in the newspaper over my own signature, which, as I interpreted, was the desire of Mr. Doud.

Q. What do you mean by gathering material, what material? A. Well, in brief, the affidavits that might be necessary to make such a showing as those parties would expect, who expected a man to prove himself innocent.

Q. Innocent of what? A. Of any sort of connection or responsibility with the Coffeyville explosion.

Q. Then I will ask you if it is not a fact that the conference about which you testified a while ago was prior to your letter addressed to Mr. Doud and dated July 9, 1889? A. The conference prior to the letter I wrote to him? I can only judge of that by such refreshing of the memory, by seeing the date of that letter, in which I spoke to him that such reply would be made. It would seem probable, and I suppose it is true, that I had in mind the material that was talked about at that conference, and still all this matter of its—I do not wish to be understood as swearing to that with any degree of particularity; I could not state when I came on the stand when that reply was published within six months, if I had not refreshed my memory from the paper.

Q. Then, evidently, Governor, it was the understanding at the conference held, that the material was to be gathered by somebody; now, I will ask you to state to the Committee who was the person selected for that purpose? A. Mr. Greer was the party who was expected to make the reply so far as was to be made.

Q. Was any other person to gather together any material to be used in that reply? A. I could not designate any one else that was named there; Mr. Greer had been somewhat conversant upon that matter, and his name, as I recollect it, had been somewhat involved, and it simply fell to him to publish the reply and to gather whatever data might be necessary to make it satisfactory.

Q. By the word material, as used in this letter, you mean the facts, do you not, surrounding the explosion, upon which a reply was to be based? A. Why, I mean such data or evidence as would disclose the facts surrounding the transaction. That is a hastily written letter, dictated to a stenographer.

Q. Was Mr. Hackney present in the city at the time you wrote the letter to Mr. Doud dated July 9, 1889? A. I do not recall that he was.

Q. Had he been immediately before? A. I cannot state, but he might have been here within a week.

Q. What do you mean in this letter, and to whom do you refer when you say, "When the characterless, irresponsible scoundrels making the charge shall have said all they have to say, and offer their evidence if they have any, it will be our time to reply"? A. I meant what I said.

Q. To whom did you refer? A. I referred to any and all parties publishing or giving utterance to the declaration that I was in any manner or degree responsible for the Coffeyville explosion.

Q. Up to that time (meaning the 9th day of July, 1889), had any person, directly or indirectly, connected you with the explosion of dynamite at Coffeyville on the 18th of October, 1888? A. No, not directly.

Q. Then if that is true, Governor, why is it in that sentence you used the words, "It will be our time to reply"? A. I meant that we would have our say about that time, meaning by that the republican party of Kansas.

Q. Did you refer to Mr. Greer, Mr. Henrie, Mr. Hutchins, and Mr. Booth? A. Well, I referred in a general way to those of us who had been somewhat conspic-

nously identified with the republican campaign of 1888, and to whom, if anybody, those charges and accusations might relate. I do not know as my name was ever directly linked with charges of that kind. It had been talked about a good deal, and I confess I became somewhat irritated, that a person who claimed to be a pronounced republican like Doud, should suggest that I prove myself innocent of a crime that nobody else thought I was guilty of. This was the idea conveyed in Mr. Doud's letter of July 5, 1889, and to which I made answer July 9, 1889.

Q. Did he, even by implication, accuse you of being in any way connected with the Coffeyville dynamite explosion? A. He was calling upon me for proof or for a denial.

Q. Was he not calling on you as the executive of this state, to see that the minor officers of the state should perform their duty? A. I have not read his letter recently; I would not undertake to state correctly what he did say about it. I think he was urging me in a general way to make a reply to the accusations contained in the opposition newspapers and insisting that I, having been the republican nominee, in the preceding general election, for governor, that he seemed to have an idea that I was called upon to make refutation of this charge. Relating to the question about willingness or unwillingness of the local authorities of my county, in which the explosion occurred, to prosecute, I cannot remember whether he called my attention to that or not. You have the letter there; it can speak for itself. I would like to say, alluding to that feature of the case, that some time, I do not know how long it was before this publication of Mr. Greer's in September, but when it came to my ears that the charge was being made that the local officers would not prosecute, I recollect of writing a very vigorous letter to the county attorney of my county.

Q. State to the Committee if that is a correct copy of the letter received by you from Mr. Doud. [Calling witness's attention to a letter dated July 12, 1889, at Eureka, Kansas, addressed to witness and found in "Exhibit 30."] A. I would not like to vouch for Mr. Doud's correspondence. So far as I know, that is a copy of the letter received. If there is any importance attached to it, I would rather produce the original.

Q. Now, in response to that letter, governor, there seems to have been a dispatch sent to Mr. Doud by D. O. McCray, executive clerk, a copy of which dispatch is found in "Exhibit 30," and I ask you to examine that now. A. I do not know whether that was a dispatch or a letter. My judgment is, it was a letter. All I know about it is, that after having written to Mr. Doud, and he wrote back another letter, I think I simply directed the executive clerk to make some kind of an acknowledgment to his letter.

Q. You authorized the preparation of and the mailing of the letter to which your attention has just been called? A. Yes, sir; a good deal of the correspondence of that kind, of course, is done quite casually. I turn a letter over to the private secretary or executive clerk, indicate some reply, and he dictates it to a stenographer and I sign it.

Q. It purports to have been dated on the 18th day of July, 1889; now, I will ask you if since that time you have had further correspondence with Mr. Doud, as therein promised, with reference to the Coffeyville dynamite explosion and the gathering together of the facts and materials to which you called his attention in your former letter? A. I have no recollection of having had any further correspondence with Mr. Doud; I might have had, but I have no recollection of it.

Q. I will ask you, Governor, if, at the time that you promised in your letter to Mr. Doud a reply to the charges that had been made by the opposition papers, you did not understand and know that such reply was to be published simultaneously

over the state of Kansas? A. I alluded to the reply that was to be made in Mr. Greer's paper; I did not understand that it was to be simultaneous over the state; you will discover that in my letter to Mr. Doud I did not indicate that I expected to correspond directly with Mr. Doud; I said, in due time a reply would be made and published.

Q. Was it not the understanding between yourself, Mr. Greer, Mr. Hackney, Bion Hutchins, Henry Booth and others, that this reply was to be published in papers other than that of Mr. Greer? A. Speaking for myself, it was the desire and understanding that it should be given as great publicity as could be done conveniently in papers of the state.

Q. With whom did you have such an understanding? A. Well, I think by that understanding, I meant my reference to the conversation between Mr. Greer and myself, that if it was deemed advisable to make further reply, that it should be given currency, as wide as could be done conveniently, in the papers of the state. Of course these charges had been made, and the idea was on my part then that one complete reply to the charges would be the end of the subject so far as I was concerned, and I did not want to be annoyed by having to answer letters like Mr. Doud's. I had something else to do.

Q. What object was in view at the time that you and Mr. Greer reached this understanding? A. Simply, so far as possible, to set at rest all uneasy minds like Mr. Doud's and others, who thought, because a man was accused of a crime, he ought to prove himself innocent before there was any evidence produced to convict him.

Q. Was it not the design directly to have influence upon the vote of the people in this State in 1889? A. The election in 1889 was merely a county election, and my recollection is, that so far as I was concerned, the part I took in the matter did not have much relation to that matter.

Q. Was that not the object then in the publication of this so-called reply? A. Speaking for myself, no. I am not authorized to speak for other people.

Q. Then your personal object was, in this conference and publication of this so-called reply, to quiet and ease the minds of some of your republican friends personally in this state, and not for any political effect? A. Well, I would not like to have all your words put into my mouth; therefore, I will say it was for the purpose I have already stated; there were some people who, like Mr. Doud, seemed to feel as if such publications as reference has been made to, charging the responsibility upon the republican party for that offense down there, demanded some sort of a refutation; and it was out of deference to that which I think was the mistaken judgment of these people that this was done, so far as I was concerned or acted in the matter.

Q. Then it was for political effect? A. Yes, sir, so far as politics might be affected by satisfying such parties as I have indicated upon that subject.

Q. Now, I will ask you to state to the Committee if you are acquainted with Senator F. M. Lockard? Q. I know Senator Lockard.

Q. Do you remember of a letter addressed to him, dated February the 20th, 1889, and dated at Topeka, Kansas, addressed to C. J. Lamb, William H. Gray, Jacob Watson, Alfred Hill and others? A. I do not recollect it now.

Q. You have no recollection at this time of being present at the time of the preparation of the letter to which I have already called your attention? A. I have not; in fact I do not know the persons you have mentioned, except Mr. Lockard.

Q. Do you remember of the persons whom I have named, petitioning the legislature of the state of Kansas two years ago to appoint a committee to investigate this Coffeyville dynamite explosion? A. Well, sir, since you have mentioned that

matter it refreshes my memory to this extent, that I think during the session of the legislature two years ago, that some such request was made by way of petition or otherwise; I never saw it, and have no recollection as to what action was taken upon it, if any.

Q. Can you call to mind whether or not you were consulted, either on the part of the House or the Senate, in relation to the subject-matter of the petition to which I have already called your attention? A. I could not mention anybody's name who consulted me in regard to the matter; it might have been done.

By Mr. Curtis: Q. You may state to the Committee, Governor, what efforts you made as governor of the state of Kansas, to obtain information as to who the parties were interested in the delivery of the box of dynamite and other explosive substance to the agent at Coffeyville in 1888, and to have these parties prosecuted; state as briefly as you can? A. Well, briefly and generally; of course Montgomery county is my home, and during the entire campaign, which lasted eight or nine weeks, I do not think I was in the county more than once, passing through, and it was not until after the election; after it was over I remember of talking and conferring with the county attorney of my county, Mr. Elliott, and his successor in the office afterwards, Mr. Ergenbright, and so far as I could, to urge upon them the importance of making every possible inquiry, to the end that the facts in regard to the transaction might be discovered and disclosed; and I remember afterwards, when these accusations began to be bruited about in the newspapers, I remember of writing to Mr. Ergenbright, and my letters were quite urgent, asking him to exercise the utmost diligence, and give every man or party who claimed to know anything about it, an opportunity to be heard, and produce any testimony they might have, and if evidence could be found which might point with such a reasonable degree of certainty as to justify the prosecution of parties in that county, that such a prosecution ought to be instituted; I frequently followed that up by personal solicitation. Of course, I have only been in that county occasionally from that time to the present; it has been a subject, I suppose, of fifty conversations between myself and these county attorneys, Mr. Ergenbright and Mr. Elliott, and other parties living in the vicinity of Coffeyville and that part of the county where the explosion occurred, and I, of course, as a citizen of the county and state, felt that much interest in the matter; and the attempt to give political significance to the transaction afterwards stimulated me to do everything that I could, and I feel that nothing has been left undone, so far as I am concerned, in regard to this matter.

Q. I will ask you to state when you first heard of the explosion on October 18th, 1888, at Coffeyville? A. If that is the date, I was at Ottawa, Kansas, either going to Ottawa, or coming from it; and it seems to me I was at Ottawa, in Franklin county, where I met Lieutenant Governor Felt. It was a day or two after the explosion I met Governor Felt; I think he was billed to speak at Coffeyville the night the explosion occurred. We ran together at Ottawa, the next day or the day afterwards, and I recollect of asking him about his experience down in my county, their meeting, etc., and he told me about the explosion, and I think he said they had no meeting that evening on that account. I do not remember of having read it in the dispatches. My recollection is that that was the first I heard of it.

Q. I will ask you to state to the Committee, if, before the explosion, you had any knowledge of the preparation of a box of dynamite or any other explosive substance, to be sent to Coffeyville, or any other place in the State of Kansas? A. I did not.

Q. At the time Mr. Henrie was recommended to you for a place in the labor bureau, was there anything said at the time about his having any connection with the explosion at Coffeyville, or of his having had any knowledge of that explosion.

or of his having taken any part in the preparation of the box of dynamite or any other explosive substance? A. No, sir.

Q. Since the explosion, please state to this Committee if you have by letter, or word, or act, tried to shield or prevent the prosecution of any person, whom any one had charged or alleged had any part, or took any part in the explosion or the preparation of the box which exploded at Coffeyville? A. I have not.

Q. Please state to this Committee if, in making any recommendation of Mr. Henrie to you for a position in the labor bureau, by Mr. Booth or Mr. Hutchins, if they by act or word left any impression upon your mind, or intimidated in any way, that Henrie had any hold upon them or had any connection with that explosion? A. They did not. I will state this, that it is more correct to say, instead of my appointing Mr. Henrie, to say that I assented to his appointment so far as I was concerned, Mr. Betton having been consulted, as he is chief of the bureau and supposed to know what assistance he needs, when vacancies occur there, and I rather assented to his appointment and concurred in it; but cannot say I appointed him.

Q. I will ask you to state if, after that meeting, after Mr. Henrie was appointed, and after these charges were made, if, from any talk you had with Mr. Henrie, you were not satisfied that he could prove himself innocent of these charges that had been preferred against him? A. I was so satisfied from such information as I had gathered about the whole transaction that there was no reason, so far as I knew, to suppose he had any connection with the explosion.

Q. I want to know, Governor, if at any time you have made any demands or caused any demands to be made of Mr. Henrie, that he make any particular affidavit? A. No, sir.

Q. Did you at any time ask or solicit of him, or cause him to be requested to make any statement in this matter other than the truth, so far as he knew? A. No, sir.

By Mr. Henderson: Q. You said, in answer to Mr. Curtis's question, if I now understand it correctly, that you were satisfied that Henrie could prove himself innocent of the charges; is that correct? A. Yes, sir.

Q. Now I will ask you if from any investigation you made, you arrived at a conclusion as to who, if any, was guilty of that infamous outrage? A. No, I frankly say that I do not know; I only wish that I did.

The witness was excused.

R. R. FARR, being duly sworn to testify to the truth, the whole truth and nothing but the truth upon the subject-matter under investigation, testified as follows:

[Examined by Mr. Henderson:] Q. You may state your name to the Committee? A. R. R. Frey.

Q. Where do you reside? A. Winfield, Kansas.

Q. Are you acquainted with E. P. Greer? A. Yes, sir.

Q. Were you a resident of Winfield in 1888? A. Yes, sir.

Q. Were you a member of the republican central committee of Cowley county? A. Yes, sir.

Q. In that year? A. Yes, sir.

Q. Were you at that time acquainted with one George W. Poorman? A. Yes, sir.

Q. When, if you remember, did you become acquainted with him? A. I believe it was sometime in the fall of 1888.

Q. Before or after the organization of the republican county central committee? A. It was after the organization.

Q. Do you know anything about that Vidette expose? A. I know there was one.

Q. Do you know how the county central committee came in possession of that book or ritual? A. I know who the county central committee got it from.

Q. Who? A. George W. Poorman.

Q. Did you at the solicitation of any member of the county central committee deliver to Mr. Poorman a check for any given sum of money? A. I did not at the request of any member of the committee.

Q. Did you at the request of any person? A. No, sir.

Q. Did you deliver him a check in consideration of the delivery of that book? A. No, sir.

Q. What was it for? A. To pay expenses.

Q. When was it? A. I cannot give the date, I think about the latter part of September.

Q. What expense was it to pay? A. The expense for him from Winfield to some town a short distance from there.

Q. What was the amount of the check? A. \$5.

Q. You did not give that check at the solicitation of any member of that county central committee? A. No, sir; I did not.

Q. Did the county central committee pay you the amount in that check afterwards? A. No, sir.

Q. Did you see Mr. Poorman when he returned from the town near, the name of which you have forgotten? A. Yes, sir.

Q. Was it South Haven? A. I believe it was.

Q. Do you know where he went after he returned to Winfield? A. Upon his immediate return?

Q. Yes, sir. A. No, sir, I do not.

Q. Do you know how long he remained in Winfield? A. No, sir, I do not know.

Q. Do you know whether he went to either of the hotels in Winfield? A. I am not positive; I think he went to the Brettun hotel.

Q. At whose solicitation did he go to the Brettun house? A. I cannot answer that.

Q. Were you in conference with him at the Brettun? A. No, sir.

Q. At no time? A. At no time.

Q. Do you know who paid his bill at the hotel? A. I do not.

Q. Do you know the number of the room he occupied while there? A. I do not.

Q. Do you know Harry Steinhilber? A. Yes, sir.

Q. Do you remember of being in his store one evening last week in which this investigation was the subject of conversation? A. Yes, sir.

Q. Do you remember who was present? A. I do not know outside of Mr. Steinhilber and myself.

Q. Was Mr. Garnet Burks there? A. Yes, sir, I believe so.

Q. Do you remember what you said there with reference to Mr. Greer and his connection with this matter? A. No, sir, I do not believe I do. I know this, that they got to talking as to who they thought were the guilty parties, and a great many men talked about the Vincent brothers and Ed. Greer. I made the statement that the Vincents or Ed. Greer or either of them were guilty.

Q. Did you say in that conversation, among other things, that Mr. Greer obtained from the state central committee the sum of \$800 for the publication of that National Vidette expose, and that it was the understanding that he was to divide with you and Jim Cooper, and that he never made such division? A. I never made that statement.

Q. Did you state that in substance? A. No, sir.

Q. You, in 1888, was a very active partisan, were you not? A. I was a republican.

Q. And a very active one? A. I took a little interest.

Q. And you have so continued to act? A. Yes, sir.

Q. Do you remember whether or not in that conversation, you said anything in relation to compensation for the publication of that so-called "Vidette expose?" A. I said this: "That I had understood that Ed Greer had gotten (I do not know whether I mentioned \$800 or not), the amount which I heard he received for publication, and work that he did."

Q. Did you state in that conversation from whom he received this sum of money, or any sum? A. I believe I said, I understood it was from the state central committee.

Q. Did you say anything in that conversation with reference to his promise of making any kind or character of division? A. I did not; he did not make any promise of that kind.

Q. Did you say anything in that conversation about the time when you first heard of the Coffeyville dynamite explosion? A. I do not remember of having said anything about it.

Q. Can you now recall to mind when you first heard of the Coffeyville dynamite explosion? A. No, sir; I do not believe I can; it was the morning following the explosion.

Q. What time in the morning? A. It was shortly after I came down town.

Q. Do you remember from whom you obtained the information? A. I do not. 

Q. Do you remember about what time you came down town in the morning? A. I do not.

Q. Was it not before eight o'clock? A. I could not say.

Q. Do you remember where you were when you first heard of the explosion? A. I do not.

Q. Do you remember of having a conversation with any particular person upon that subject? A. No, sir.

Q. Did not the county central committee or the chairman thereof, receive a telegram from Coffeyville the night of the explosion, stating therein that which had occurred? A. Not to my knowledge.

Q. Do you remember of being present in the Committee rooms on the evening of the 18th day of October, 1888? A. I do not.

Q. Do you remember the first time you met Mr. Greer on the morning of the 19th of October? A. I do not.

Q. Have you now any recollection of having a conversation with Mr. Greer on the 19th of October, 1888, in relation to the Coffeyville dynamite explosion? A. No, sir; I have none.

Q. Who made the arrangements with Poorman to go to South Haven and get this ritual in question? A. If I remember correctly, it was W. T. Barnum and A. A. Cooper and myself.

Q. Where? A. In the county central committee rooms, in the Thompson Block, in the city of Winfield.

Q. In this connection, I will ask you if you remember a General Rice and a Mr. Campbell speaking in Winfield? A. I believe I remember General Rice speaking there; I do not remember Mr. Campbell.

Q. With reference to that day or date, when was it Mr. Poorman made arrangements with Mr. Cooper and yourself and Mr. Barnum? A. I could not tell with reference to that date.

Q. What were the arrangements you made with Mr. Poorman? A. The arrangements we made with Mr. Poorman were to go to South Haven to get this book and return with it, and give us all the information he could concerning the National Order of Videttes.

Q. How was he to obtain possession of the book? A. I do not know.

Q. Was there anything said in the conversation you had with him in reference to the plan which was to govern him in his attempt to get possession of the book? A. Not to my knowledge.

Q. Did he say how he could get it? A. Not at that time.

Q. Did he at any time? A. I believe when he came back—I am not certain whether it was before or after that—that you had to join the order to get anything, or something to that effect.

Q. What else did he say? A. That is all I remember in that connection.

Q. Do you remember how many days he was gone? A. If I remember correctly, he left on Sunday evening, and returned—I would not be positive, I think he left on Sunday and returned on Wednesday—when he returned with the book.

Q. Where did you see him first? A. In the county central committee's rooms.

Q. What time in the day was it? A. It was in the evening.

Q. Who was present at the time? A. If I remember correctly, Mr. Cooper, Mr. Barnum, myself, and Mr. Poorman.

Q. Was there any one else? A. I think not.

Q. Was Mr. Greer there? A. I think not.

Q. Was Mr. Greer there that evening? A. I could not say.

Q. Have you now any recollection of his being there? A. No, sir.

Q. What did Mr. Poorman say in his conversation with you upon his return? A. He had the constitution and by-laws, and what information he had concerning the order. He gave us the key to the constitution and by-laws, and gave us to understand that it was an anarchistic order, that is all I remember about that night.

Q. Did he point out in the ritual or constitution any part thereof which as evidence substantiates his statements as to the character of order it was? A. We thought so—yes, sir.

Q. What part of it did he call your attention? A. There were some parts in it that seemed to be a good deal of "blood and thunder" about it.

Q. Can you now call to mind any particular part to which he called your attention? A. No, sir.

Q. Could you if you had the book? A. No, sir.

Q. Could you turn to any page in the book in which there is any reference to "blood and thunder"? A. As I remember, the parts that referred to anything that would be disastrous were all written in such a way it took a key for anyone to read it.

Q. Now, then, did you take the key to read that part of the book that was disastrous to any person? A. We read the whole thing with Mr. Poorman.

Q. Did you find in reading that any "blood and thunder" was in it? A. I should think there was.

Q. Can you now point it out? A. No, sir.

Q. Can you state in what connection or part of the constitution this work was found? A. A man joining, if he revealed any secret would be subject to the penalty of death, or almost as severe as that, if I remember.

Q. Did Mr. Poorman tell you he had joined the order? A. I do not remember that he told us. My remembrance is, that it was either before or after he said he would probably have to join the order, to get possession of this book.

Q. Is it not a fact, that when he returned, he said he had joined the order, and that he joined it at South Haven, Kansas? A. I would not say yes or no, because I do not remember.

Q. Is it not a fact, that the expense necessary to his initiation, was paid by the county central committee? A. No, sir, it was not; it was paid by me.

Q. How much did you give him? I gave him five dollars, and five dollars took him down and back.

Q. Is that all that you gave him? A. I gave him five dollars more after he came back.

Q. Do you tell this Committee, that the county central committee did not give him any money? A. I think they did not give him any money to defray his expenses in going down there.

Q. Did they give him any money at all, after he returned? A. I do not know.

Q. Why can you not so state? A. Well, I cannot give you any reason, except I do not know.

Q. Did Mr. Greer give him any money? A. I do not know.

Q. Did Mr. Greer ever tell you he gave him any money? A. He did not.

Q. Did Mr. Poorman ever tell you he received any from Mr. Greer? A. He did not.

Q. You understood that Mr. Poorman had joined the order of National Videttes, did you not? A. I cannot say that I understood it; the only thing I remember definitely—I think it was before he went down to South Haven, he said he would have to join the order to get possession of this book.

Q. He was to get the book and learn its secrets, was he not? A. Yes, sir.

Q. It was necessary to become a member of the order, before he could learn the secrets of the order, was it not? A. I do not know.

Q. Was not that your understanding? A. He said before he went down that he would probably have to join this order to get the information he wanted.

Q. Now then, when he returned, you stated, if I understood you correctly, that he came to the headquarters of the county central committee sometime in the evening of the day he returned? A. If I remember; yes, sir.

Q. Do you know if he came immediately from the depot to headquarters? A. I do not.

Q. Do you know who met him at the depot? A. I do not.

Q. Was there anyone came to headquarters with him? A. I do not remember.

Q. Do you remember whether you, Mr. Cooper, Mr. Greer, and Mr. Barnum were all at headquarters at the time he came there? A. I do not remember in what order we went or what order we went away.

Q. Do you remember whether you were there when he came? A. I do not know.

Q. To whom did Mr. Poorman deliver the ritual? A. If I remember, three of us were there, and Poorman had possession of it, and took it out of his pocket and read it to us.

Q. How long were you there in the room? A. I do not know.

Q. Well, about how long? A. It may have been an hour, and it may have been two or three.

Q. Did Mr. Greer come into the room while you were discussing the contents of that book? A. I could not say; there were quite a number of men in and out all the time.

Q. To whom did Mr. Poorman deliver the book? A. I think it was given to Mr. James Cooper.

Q. Do you know what Mr. Cooper did with it? A. I think he put it in the safe that belonged to Judge Soward, in the office there.

Q. When did you next see the book? A. I do not think I have seen the book from that day to this.

Q. Did you not see it upon the following day? A. I might have seen it in the morning.

Q. Do you know what was done with it that morning? A. If I remember correctly, Mr. Greer got it from the safe and took it to the *Courier* office and set it up.

Q. Is that the first time, now, that you saw Mr. Greer, prior to the delivery of the book to him after Mr. Poorman returned? A. I did not see Mr. Greer at that time.

Q. When he got the book? A. No, sir.

Q. How do you know he got it? A. The only way I know was the fact that it was published in the *Daily Courier*.

Q. Was you there in the office at the time it was being set in type? A. I might have been, and I might not have been.

Q. Do you know whether you were or not? A. No, sir; I do not.

By Mr. Carey: Q. Who was the treasurer of your county central committee? A. Sol Burkhalter.

By Mr. Curtis: Q. You may state to the Committee, as near as you can, about Mr. Greer having received money from the state republican central committee. A. I said I did not remember that I named the amount; it might have been that I named \$800; I understood Mr. Greer got some money from the state central committee, and it offended us because we did not get anything for doing the work that we did in the originating of this thing.

Q. Do you know that Ed. P. Greer received any money then whatever, from any source, for the publishing of the *Vidette* expose? A. I do not know it; no, sir.

Q. I understood you to say that you heard of the explosion at Coffeyville on the morning after it occurred? A. Yes, sir.

Q. Now, you may state if you told any one there in Winfield after you heard of the explosion? A. I would say yes, for the simple reason because everybody was telling everybody about it.

Q. I will ask you to state to the Committee if you did not, on that morning, in the Farmers' bank, inform Mr. Greer, and others who were in the bank, of the explosion? A. I remember of having gone into the Farmers' bank and talking to Mr. Balliet about it. I believe Mr. Greer was there.

Q. I will ask you to state if the oath was pointed out to you by Mr. Poorman, that was in this book? A. Mr. Poorman pointed out everything.

Q. I will ask you to state if he pointed out the military character of the organization? A. Yes, sir, he did.

Q. Do you remember of any such expression as this in the oath, or obligation: "I will deliver my body to the just vengeance of my comrades"? A. I would not say that I remember that exactly, but there was something, if I remember correctly, about as hard as that.

Q. Prior to the time of your hearing of the explosion at Coffeyville, I will ask you to state if you ever heard the subject of bringing dynamite to Winfield discussed by the republican county central committee, or by any member of that committee, or by Ed. P. Greer? A. I did not.

Q. I will ask you to state if, prior to the explosion, or at any time thereafter, you heard any conversation which the members of the committee or Ed. P. Greer had said that they had prepared any box of dynamite, or other explosive substance, and caused it to be delivered at Coffeyville for the purpose of having it sent to Winfield? A. I did not.

Q. I will ask you to state if you ever knew of any plan involving the use or handling or preparation of dynamite or other explosive material by the republican county central committee of Cowley county, or by Ed. P. Greer, or any person connected with his office, or any person in that county? A. I did not.

Q. Now, after Mr. Poorman returned, and on the day he left the city of Winfield, what did you do, if anything, in regard to going to the hotel with him, and from there to the depot, and why did you do it? Please tell the committee. A. It was one evening Mr. Barnum, Mr. Cooper and myself had been in the county republi-

can central committee rooms, Mr. Poorman was afraid to go to the hotel alone; he was afraid somebody might try to take his life. Mr. Poorman started out first, Mr. Barnum and myself followed him down the north stairs, Mr. Cooper went down the west stairs, and walked with him to the hotel.

Q. Did you go to the depot with him? A. I did not; no, sir.

Q. Who was he afraid would take his life? A. I believe he said the Vincent brothers.

Q. Did he say anything about the members of the Videttes? A. Not that I remember of, any more than to explain that book, and tell us the information he had in regard to the National Order of Videttes.

* Q. I will ask you to state if, after you heard of the explosion, you telegraphed or communicated with any one at Bellaire, Ohio, in which you asked for information as to the whereabouts of Mr. Poorman upon the 18th day of October, 1888, the day of the explosion? A. I wrote to George W. Poorman himself, and there was a verified statement made that he was there on the day; I do not remember the day I wrote for.

Q. Did you send a dispatch also? A. I sent a telegram to Mr. Poorman after he left Winfield; I would not be sure whether it went to St. Louis, or Bellaire, Ohio.

Q. Now why did you send this letter that you have spoken of? A. Because there was a suspicion around down there among some men that Poorman was the man who had put the dynamite in the express agent's office at Coffeyville, and to correct that error and to let the people know it was not Poorman, as I understood that he went to Bellaire, Ohio, and had passed through St. Louis, I wrote him at Bellaire and received a verified statement signed by the city marshal and one other man; I do not remember either of the names.

Q. I will ask you to state if you now remember whether or not Mr. Greer requested you to send the letter and dispatch? A. I could not state; Mr. Cooper and those others interested in working up the expose of the National Order of Videttes, at that time, worked in different ways.

Q. You may state whether Mr. Greer after the explosion tried from his personal efforts and his friends to ascertain who was responsible for the explosion of the box of dynamite, or other explosive substance at Coffeyville? A. Yes, sir.

Q. You may state how he made the efforts if you can to the Committee briefly? A. I could not say, exactly how any more than that I know, and have heard him state several times, that he was working on that matter; I think he had some articles in the *Courier*; I do not know exactly what course he did take.

Q. Do you know whether or not he offered a reward? A. I believe the *Courier* offered a reward.

Q. Do you know whether or not he joined others in offering a reward? A. I would say yes, because he usually comes down in matters of that kind.

Q. I will ask you to state if the republican county central committee of Cowley county had been interested in any way, or engaged in the preparation of the box of dynamite, or any other explosive substance that was exploded at Coffeyville if you would have known it? A. Yes, sir; I think I would.

By Mr. Henderson: Q. If Mr. Greer and others had a secret arrangement planned, by which dynamite was to be shipped into Winfield, you had no knowledge of it? A. No, sir.

Q. Now, then, you stated in your answer to Mr. Curtis, that you remember of meeting Mr. Greer in the Farmers' bank the next morning after the explosion? A. I think so; I would not say positively that Mr. Greer was there; there were a number of men in the bank.

Q. Do you say that Mr. Greer was in the bank, and that you communicated to

him the fact of the dynamite explosion at Coffeyville? A. No, sir, I did not state that.

Q. If you did communicate such facts to Mr. Greer, what time in the morning was it? A. I could not tell you.

Q. Do you remember the nature of the business that took you to the bank that morning? A. That was where we did our banking business.

Q. Can you now call to mind just what you went there for? A. I cannot.

Q. Can you now call to mind how long prior to that time you had received the information of this occurrence at Coffeyville? A. I cannot.

Q. Are you able now, to state from what source you obtained the information? A. No, sir.

Q. Now, I will ask you again, if it is not a fact that the chairman of the county republican central committee of Cowley county, did not receive early that morning a telegram from Coffeyville, stating the fact of the dynamite explosion? A. I do not know.

Q. Do you remember of reading any telegram that morning from any source, in which this information was imparted? A. I do not remember it.

Q. Now, going back to the conversation in Mr. Steinhilber's drug store, I will ask you if you did not say in the drug store and to Mr. Steinhilber, and in the presence of Mr. Garnett Burks, that Ed Greer stole the ritual of the National Videttes from you and others who had worked it up, and in consideration for the publication thereof, he had received \$800 and had got the postoffice; that he was a damned thief, and that the government ought to appoint a man or detective to watch him in the postoffice? A. I did not say that.

Q. Did you say that in substance? A. No, sir, I did not say that in substance.

By Mr. Curtis: Q. What did you say? A. I said Ed. Greer took that book—I think it was in the safe—from the safe; that it was not the intention of Mr. Cooper to have that published as soon as it was.

By Mr. Henderson: Q. Is that all? A. And that it made me hot and it made Mr. Cooper hot. I told you what I heard about the \$800 business, and in addition, I expect I said, he got the postoffice on top of the \$800.

By Mr. Curtis: Q. Now, I understand you to say in answer to the question I have put to you, that you might have met and probably did meet Mr. Greer in the Farmers' bank on the morning you heard of the explosion at Coffeyville? A. I might have; I would not say positively.

Q. If Mr. Greer and others had taken any part in the preparation of a box of dynamite or any other explosive substance that was exploded at Coffeyville, from your personal and political relations with him at that time, would you likely have known about it? A. I think I would; yes, sir.

By Mr. Henderson: Q. In other words, if Ed Greer was going to commit murder or any other crime he would call in his friends and tell them, would he? A. I did not say so.

By Mr. Curtis: I understood you to say that you did not know that Mr. Greer got the book out of the safe. A. I said that I thought that it was in the safe; would not state positively. I think that was where Cooper put it.

Q. Now, do you know whether or not it was delivered to him by Mr. Cooper or others? A. I do not; it was my understanding that it was not.

Q. Is it not a fact that that book was delivered to Mr. Greer by Mr. Cooper and Mr. Poorman in Mr. Greer's office? A. I can only answer that in this way; it was not the understanding between Mr. Cooper and the county central committee that that business was to have been published as soon as it was, and I know Mr. Cooper was angry and I was angry that it was published so soon as it was.

Q. You do not know whether it was delivered to him or not? A. No, sir.

By Mr. Henderson: Q. You stated that you had correspondence with parties in Bellaire, Ohio; now, I want you to state to this Committee in whose name that correspondence was carried on, in your name or Mr. E. P. Greer's? A. My name.

Q. Do you remember to whom you wrote? A. George W. Poorman.

Q. To whom did you send the telegram? A. If I remember correctly, I received a telegram from Poorman from St. Louis, and telegraphed him, if I am not mistaken, at Bellaire, and wrote him at Bellaire.

Q. Do you remember the contents of the telegram from St. Louis? A. I do not remember.

Q. Did the affidavit come to you? A. I had one and Sid Cure had one, as marshal of the city of Winfield. I think he got his from the city marshal; I got mine from Poorman himself.

Q. Was the affidavit sent to Mr. Greer? A. Greer might have got one, too.

Q. What did you do with the one you had? A. I do not know.

Q. Was that the one that was published? A. I do not know.

Q. Did you give it to Mr. Greer for publication? A. It was left in the county central committee's rooms. That is as far as I can say anything about it.

Q. Do you know whether the "Videttes," or any member of that organization, ever killed anybody that betrayed the trust that was imposed in them? A. I do not know.

By Mr. Senn: Q. This meeting you spoke of was for the purpose of deciding whether your committee should sanction the publication of this so-called expose; was that a meeting of the committee of which you were a member? A. I do not remember of ever attending any such meeting.

Q. Did they consult over this ritual that Poorman had obtained? A. We got the key from Poorman, and what information we could regarding the National Order of "Videttes."

Q. The question as to publishing it was not considered, was it? A. No, sir.

By Mr. Henderson: Q. What was the object, then, of procuring this ritual? A. I supposed at that time it was for political purposes.

By Mr. Curtis: Q. I want to ask you then again, why was it you gentlemen did not want that ritual published as soon as it was? A. Mr. Cooper thought it was too early to have it published, too long before the election, and there were some other things we wanted to get before that time.

Witness was excused. Committee adjourned to meet to-morrow morning at ten o'clock.

THURSDAY, March 5, 1891—10 o'clock A. M.

Committee convened pursuant to adjournment; quorum present.

The further taking of the testimony was proceeded with as follows:

GARNET BURKS, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Henderson: Q. You may state your name to the Committee. A. Garnet Burks.

Q. Where do you reside? A. Winfield, Kansas.

Q. Are you acquainted with one R. R. Frey who resides in the city of Winfield? A. Yes, sir.

Q. Are you acquainted with Harry Steinhilber? A. Yes, sir.

Q. Do you know his place of business in the city of Winfield? A. I do.

Q. Do you remember of being present at the time when a conversation took place between Mr. Frey and Mr. Steinhilber in Mr. Steinhilber's place of business sometime last week? A. I think it was week before last.

Q. Was the subject of this present investigation the topic of conversation? A. Yes, sir.

Q. Did you hear Mr. Frey make any statement there with reference to E. P. Greer, and his connection with the political campaign of 1888? A. Yes, sir.

Q. You may state to the Committee what was said, as near as you remember? A. That is a pretty latitudinous question. We were talking about this investigation, and Mr. Frey said if they could not get the facts from Mr. Greer,—that is as to the dynamite,—Mr. Hutchins, Mr. Henrie and the Vincents, that he did not think they would ever get them from anybody.

Q. Now, what else was said in that connection? A. We were talking about the Vidette business; Mr. Frey said that he and two others—I think one of them was Mr. Cooper—had worked up that case and put some money in it; that they had sent some one to South Haven, Sumner county, to be initiated; and Mr. Greer had then got hold of the papers, published them, and got all the honor and \$800 besides.

Q. Did he say, in that connection, the manner in which Mr. Greer obtained possession of the papers or the ritual? A. Bob was pretty hot under the collar, and he said he stole the papers and published them, got all the honor, \$800 and the postoffice beside.

Q. Did he say anything about the time of the publication of the papers or ritual? A. I do not know as I understand the question.

Q. Was there anything said about the division of that \$800 he received? What did he say about his connection with the postoffice? (The witness's answer to this question was, on the objection of Mr. Curtis, excluded by the Committee.)

Q. Now what else was said in that conversation, Mr. Burks? A. I do not remember; think we talked probably about ten minutes.

Q. You have stated all you remember was said, or at least the substance of it? A. Yes, sir; there were some other things spoken about.

Q. Was there anything else said in relation to the campaign of 1888, and the Coffeyville dynamite explosion? A. Mr. Frey said he did not believe there was any dynamite there; that he believed it was spontaneous combustion.

Q. Did he go on to state what he believed spontaneous combustion was? A. No, sir.

Q. Did he state how, or from what cause he reached that conclusion? A. My understanding of the conversation is, that this man at Coffeyville, this operator, he was a photographer, or something of that kind—Frey was of the opinion that it was his own chemicals that exploded.

Q. Did he say whether or not he had any talk with any person with reference to that particular question? A. No, sir; not that I remember.

Q. Did he state the character or kind of chemicals that is used in the business of Mr. Upham that would produce the result? A. Not that I know of.

By Mr. Curtis: Q. I will ask you to state if it is not a fact, Mr. Burks, that this gentleman said in your presence that he did not believe that either the Vincents or Mr. Greer, or any person connected with the two political parties down there and with the two parties of the state, had anything to do with this matter? A. He said that his opinion was, that if they could not get it out of Mr. Greer, the Vincent boys, Mr. Henrie or Mr. Hutchins, he believed they could not get it out of anybody.

Q. He connected both parties together? A. Yes, sir.

Q. Did he not further give his opinion that there was no dynamite exploded there at all, but it was spontaneous combustion? A. He said, "As far as I am concerned, I believe it was spontaneous combustion, and that there was no dynamite there."

The witness was excused.

HARRY E. STEINHILBER, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Henderson: Q. You may state your name to the Committee.
A. Harry E. Steinhilber.

Q. Where do you reside? A. Winfield, Kansas.

Q. What business are you engaged in? A. Drug business.

Q. Are you acquainted with R. R. Frey? A. I am.

Q. He is a citizen of Winfield, is he? A. He is.

Q. Are you acquainted with Mr. E. P. Greer? A. I am.

Q. Is he a customer of yours? A. He is.

Q. Are you acquainted with Mr. Garnet Burks? A. I am.

Q. Do you remember of Mr. Frey and Mr. Burks being in your store sometime last week or week before last? A. Yes, sir.

Q. When was it, if you remember? A. Along about half-past eight in the evening, last week or week before.

Q. Did you have any conversation with Mr. Frey in your store upon the occasion that you have mentioned, in which the political campaign of 1888 and the Coffeyville dynamite explosion were the subjects of discussion? A. Well, his conversation was not addressed exactly to me; it was to all of them that were there.

Q. Relate what was said in that conversation in your own way? A. I do not know how it started. Mr. Frey made mention that he and Mr. Cooper had put up money to secure this ritual of the Videttes, and it was published by Mr. Greer, for which he understood Mr. Greer received \$800; and he, Jim Cooper and Frey, who had paid all the expense of obtaining that ritual, never received a cent from Mr. Greer.

Q. Was there anything said about how he obtained possession of the ritual? A. I cannot remember.

Q. Do you remember what was said, or the substance thereof? A. I did not catch the full conversation, as I was filling some prescriptions for Mr. Burks, and could only hear a few words at a time as I came around the case.

Q. What did he say, if you remember, about how Mr. Greer obtained possession of the ritual? A. I do not remember of hearing that part of it.

Q. Do you remember what he said about the early publication by Mr. Greer? A. No, sir.

Q. Do not remember that? A. No, sir.

The witness was excused.

J. B. EVANS, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Henderson: You may state your name to the Committee. A. J. B. Evans.

Q. Where do you reside? A. Seven miles west of Winfield, Cowley county, Kansas.

Q. Are you acquainted with William Bonewell? A. I am.

Q. How long have you been acquainted with him? A. About twenty years; nineteen and past.

Q. You may state if you know what his politics were in 1888? A. Yes, sir, I know.

Q. What were they? A. Republican.

Q. Was he more or less active in the various political campaigns in Cowley county? A. He was very active.

Q. Do you remember the circumstances of the Coffeyville dynamite explosion in October, 1888? A. I do.

Q. Do you remember when you first heard of that occurrence? A. I do.

Q. When was it with reference to the time of the explosion? A. I have an impression, and have had from the time I first heard of the explosion, that it was the next day after.

Q. What time in the day? A. It was, as near as I remember, not earlier than seven o'clock and not later than nine; somewhere in the neighborhood of eight o'clock.

Q. In the morning? A. Yes, sir.

Q. That would be the morning of the 19th? A. That is my impression. I have two impressions, and one or the other is wrong.

Q. From whom did you obtain that information? A. From Mr. Addison and Richard Bonewell.

Q. Where were they at the time you obtained that information? A. Just about seven miles west of Winfield.

Q. How far and in what direction from their homes? A. About one mile and one-half from their homes.

Q. How far did you reside from Mr. Bonewell? A. Straight across the way about a mile and one-half; around the road it is farther.

Q. What was said to you upon that morning? A. The Bonewell boys that I have mentioned told me about the explosion.

Q. What did they say about it, as near as you can remember? A. They told me that in the night previous a man came to the house and waked their father up and took him outdoors and talked with him, and in the morning they asked him who that man was who took him out and talked with him, and he told them it was the deputy sheriff looking for a Coffeyville dynamiter.

Q. Does Mr. Bonewell now live where he lived at that time? A. He does.

Q. How does the road run in reference to the river? A. The road runs north and south, and the river runs meandering; the main direction is southeast.

Q. Does the road cross the river near his place? A. No main road, no; there is a road running west from the line of his place where they ford the river sometimes.

Q. Did he state the name of the deputy sheriff? A. He did not.

Q. What is the nearest railroad communication to the residence of Mr. Bonewell? A. It is about four miles.

Q. What is it? A. Kellogg.

Q. What road is that? A. Southern Kansas, and also Missouri Pacific.

Q. Do both of these roads run to and from Winfield? Yes, sir.

Q. Did either of them connect with Cherryvale? A. Yes, sir.

Q. Did either of them connect with Coffeyville? A. Yes, sir.

By Mr. Curtis: Q. Is it not a fact that this conversation occurred with you on Saturday morning? A. That is my other impression, that it was on Saturday morning.

Q. Then the conversation you had was either on Friday or Saturday morning? A. My impression is that it was on Saturday morning.

Q. You know this explosion occurred on the 18th? A. A gentleman told me it did; I have an impression that it was on Saturday morning, and I have one that it was on the next day after the explosion; which is right I do not know.

Q. If the explosion occurred Thursday, which was the 18th day of October, then it is your impression that you did not have a conversation until Saturday, which was the 20th? A. I am mistaken in one of the two impressions.

Q. Have you any doubt about the 18th of October being on Thursday? A. I had some doubt; a gentleman told me it was, I do not know.

By Mr. Henderson: Q. In that conversation was there anything said as to who the deputy sheriff was? A. No, sir; there was not.

Q. Or where he was from? A. My impression is that it was the deputy sheriff from Montgomery county, but I would not swear to that.

The witness was excused from further attendance.

A. J. R. SMITH, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Henderson: Q. You may state your name to the Committee.

A. A. J. R. Smith.

Q. Where do you reside? A. Topeka, Kansas.

Q. Are you acquainted with C. A. Henrie? A. Yes, sir.

Q. How long have you been acquainted with him? A. Five or six years; I do not remember exactly.

Q. Have you been intimately acquainted with him at any time during that period? A. It depends upon what you mean by intimately. I have known him pretty well part of that time.

Q. Has there been friendly and social relation existing between you? A. My relations were never friendly or social.

Q. Have you been with him frequently in company. A. Yes, sir.

Q. Have you, or did you observe the peculiar manner in which he wore his hair prior to the 18th of October, 1888? A. No, sir.

Q. Do you know a man by the name of Cummings? A. Yes, sir.

Q. What is his given name? A. J. F.

Q. What relation, if any, did he have with the paper called the *Sunflower*, published, I believe, in the city of Topeka? A. He had no relation whatever with it.

Q. Did he on the 18th day of October, have any connection or relation with that paper, either as editor, foreman, manager, or in any other sense? A. He might have been solicitor for advertising or job work.

Q. Was he general manager or editor at that time? A. No, sir.

Q. Was he foreman of the office? A. No, sir.

Q. How long have you been acquainted with him? A. I have seen him off and on for about six months, maybe a year, I do not recall when I first met him or when I last met him.

Q. Do you remember of having any conversation with him with reference to an affidavit that he made at the instance of Mr. C. A. Henrie? A. Yes, sir.

Q. When was that? A. I can only state the time by saying that it was a few days after the affidavit had been given; it was before the affidavit was published.

Q. Now, then, you may state to the Committee what that conversation was. A. He said to me, "I have given Henrie an affidavit to help him out of his scrape," and he said, "Can they do anything with me for it?"

Q. What did you say to him? A. I said, was not the affidavit true?

Q. What was his response thereto? A. He said of course not. After studying a minute or so, I replied: I do not think they will ever trouble you about it; that is all the conversation that was had upon the subject.

Q. Had you at that time seen the affidavit? A. No, sir.

Q. Have you since seen a published copy of the affidavit? A. Yes, sir.

Q. You may state to the Committee from your conversation with Mr. Cummings and your examination of the affidavit, as to whether or not the contents thereof

were true? A. I had no conversation with Mr. Cummings upon the subject but what I have recited.

Q. Were you familiar with, and did you know the paper called the *Daily Sunflower*? A. Yes, sir.

Q. What relation did you have with that paper? A. I had no relation with the paper, other than a friendly relation with the parties interested in it.

Q. I will ask you to state to the Committee if you know what that paper is? [Handing witness a paper.] A. That is the *Daily Sunflower*.

(Counsel offered and read in evidence the following local from the paper referred to:)

"Hon. David Overmyer spoke at the Grand last night."

Q. What is the date of the paper to which your attention has been called? A. October 19, 1888.

Q. Is there any published report of the speech of Hon. David Overmyer in that paper, as delivered by him on the 18th of October, 1888? A. No, sir.

Q. Is there any mention of his speech in that paper? A. It simply says he make a speech.

By Mr. Curtis: Q. There are several comments in the paper about Mr. Overmyer, are there not? A. There are three editorial comments upon Mr. Overmyer.

"Did Overmyer sign the petition for the mayor and council to discharge the police last summer?"

"Is Dave the supposed champion of the people who by a special act of the legislature took from the voters of Shawnee county the right to say whether or not they would have jails and jailer's residence, and by that act had the commissioners directed to build the same? He is that, and we ask the people what kind of champion he is."

"When Dave Overmyer talks about little children working in New York, does he think the people do not know that Grover Cleveland vetoed a bill prohibiting the employment of children under thirteen years of age in the factories of New York?"

"Hon. David Overmyer spoke at the Grand last night."

Q. Is that the only report that appears in that paper of the speech delivered by Hon. David Overmyer? A. That is all the report of the speech, but I see some more reference to Mr. Overmyer.

[Mr. Curtis said he admitted that there was no report of the speech in the *Sunflower* of that date.]

Q. Do you know what relation, if any, Mr. Henrie had with that paper on the evening of October, 1888, or any time prior to the date of that paper you have just read? A. I have no knowledge of any relation he had with the paper.

Q. Who was editor of the paper at that time if you know? A. Mr. Layton was editor of the paper, and the paper was published under the name of his father-in-law, O. A. Curtis & Co., and the company being Mrs. Layton.

Q. The paper from which you have read was the first issue of the *Daily Sunflower*, under the management that has been mentioned? A. Yes, sir.

By Mr. Curtis: Q. You, yourself, had been helping Mr. Layton, had you not? A. Yes, sir.

Q. This man Cummings that you have spoken of, occupied what position with the paper, if you know? A. I have already stated that he occupied no position, so far as I know, unless it might be a solicitor.

Q. Is it a fact he was a solicitor for advertisements, and also local reporter for the paper? A. I did not understand that he was a reporter, except, of course, he might have been requested to bring in items.

Q. Do you know whether or not Mr. Henrie did report the speech of David Overmyer that night for this paper, not saying whether it was used or not? A. From my own personal knowledge?

Q. Yes, sir. A. No, sir.

Q. What was the feeling existing between you and Mr. Henrie; I mean, have you any ill-feeling? A. I have no ill-feeling toward Mr. Henrie and never have had, but I most emphatically despise his style of manhood.

Q. He had you arrested once, did he not? A. Yes, sir.

Q. Some connection with the paper that he was interested in, the *Chieftain*, was it not? A. He had me arrested once for disturbing his peace.

Q. You were convicted, were you not? A. No, sir; we never had a trial.

Q. What did you do, plead guilty? A. The justice told me to go home, and let the matter drop.

Q. Did you enter a plea of guilty? A. No, sir; no case was never called.

Q. Who was the justice? A. I do not recall his name just now.

Q. How many years ago was it? A. Three or four years ago.

Q. Was it H. S. Clark? A. Yes, sir.

By Mr. Henderson: Q. You disturbed Mr. Henrie's peace, did you? A. Yes, sir.

Q. He filed complaint against you, warrant was issued, and you were arrested? A. Yes, sir.

Q. Was there a trial? A. No, sir.

Q. What became of the case? A. It was never called.

Q. What nefarious act did he do that caused you to disturb his peace? A. He bought the *Chieftain* from my partner, unknown to me, and I would not turn it over to him.

By Mr. Curtis: Q. You were a partner in that paper at the time he purchased it? A. I had been before.

The witness was excused.

I. D. HIGHLEYMAN, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Judge Webb: Q. Where do you reside? A. Chetopa, Labette county, Kansas.

Q. State whether you are acquainted at the cities of Coffeyville and Independence, in Montgomery county. A. Yes, sir.

Q. Do you know Mr. Samuel C. Elliott and O. P. Ergenbright? A. Yes, sir.

Q. State whether you are acquainted with Mr. Henry Vincent, of Winfield, Kansas. A. Yes, sir.

Q. Do you remember hearing, soon after its occurrence, of the explosion at Coffeyville, in October, 1888? A. Yes, sir.

Q. Were you, previous to that time, acquainted with Mr. Vincent? A. I believe I was not.

Q. Do you remember about how soon after that occurrence you became acquainted with Mr. Vincent? A. About a month, I will say.

Q. State, Mr. Highleyman, whether during the time subsequent to the explosion and previous to your acquaintance with Mr. Vincent, you had made any effort towards ferreting out the cause of that explosion. A. Yes, sir.

Q. As you remember, where did you first meet Mr. Vincent? A. I do not know.

Q. Can you mention the place or places at which you met and conversed with him? A. Yes, sir.

Q. Please state where it was. A. Chetopa, Independence, Coffeyville, Winfield, and Arkansas City, all in Kansas, are all that I call to mind.

Q. After recalling the places in your mind, can you now give the order of your meetings at these places? A. No, sir; I cannot.

Q. State whether the subject-matter of this explosion was the theme of conversation between you. A. Yes, sir.

Q. In either of these conversations did you communicate to him what information you had gathered bearing, as you supposed, upon the subject of said explosion? A. Yes, sir.

Q. State whether at any time when you were in company with Mr. Vincent, you and he, or either of you, had an interview with Mr. Elliott. A. No, sir.

Q. Did you, yourself, interview Mr. Elliott with reference to the explosion? A. Yes, sir.

Q. At what place? A. Independence.

Q. Can you state about when? A. Well, I should judge about the middle of November, 1888; I would not be certain about that.

Q. Will you give me substantially the conversation you had with him concerning that explosion? A. I called on him at his office and asked if there had been any complaint made or filed charging anyone with delivering the box of dynamite at Coffeyville to the express agent; he told me there had not. I then told him that I had come for the purpose of making a complaint and charging persons with that crime; the persons were C. A. Henrie and George W. Poorman. He remarked to me that he had looked that matter up carefully, and was satisfied himself that there had been no crime committed; I then told him if that was true that it was not necessary to make a complaint. I told him that I had seen Judge Chandler that same day and he had referred me to him to settle the matter. He remarked "that he would write to Attorney General Bradford and lay the case before him, and when he received a reply he would notify me to come up, and he would also notify Mr. Upham to come there at the same time, and if the attorney general advised him to [I do not think that is the word he used] to prosecute, he would have Mr. Upham make a complaint, as he preferred some one in the county." He said he would notify me on the following Friday, this being Tuesday; and that is the sum and substance of the conversation. I think now that I can locate that time: it was the first day of the term of the district court in the fall of 1888—that is the day it was; I do not remember what day of the week it was.

Q. The court in Montgomery county? A. Yes, sir.

Q. Did you have any further conversation than you have related, then? A. No, sir.

Q. Upon that same subject did you converse with him subsequently? A. I think not.

Q. State whether you received from him any communication upon that subject. A. No, sir.

Q. Did you afterwards have, upon the same subject, an interview and conversation with Mr. Elliott's successor, Mr. O. P. Ergenbright? A. Well, I do not know how to answer; I will say yes.

Q. As nearly as you can, state when and where it occurred. A. This conversation with Mr. Ergenbright, I think, was in the early spring of 1889; in that I put in my say.

Q. The one which you are now speaking of, occurred where? A. At Independence, Kansas, in the court-house.

Q. State who, if anyone, was with you. A. Mr. Henry Vincent.

Q. If the subject of the Coffeyville explosion was one of conversation between you three gentlemen at that time, relate that conversation fully, as you remember it. A. Mr. Vincent told Mr. Ergenbright that he had come there for the purpose of making a complaint against parties, and charging them with the crime of delivering the box of dynamite to the express agent. (I am just giving the substance, I cannot give the language.) There was but very little conversation there; Mr. Ergenbright was in a hurry; I think he had some business in the other office, but he asked Mr. Vincent to furnish the proof of the guilt of these parties, and Mr. Vincent told him

what evidence he had. Now, just what was done and said after that I do not know, I cannot call it to mind; I think Mr. Vincent had a complaint drawn up and offered to sign it and verify it; I will not be positive about that, but I think it is true; I remember of him [Ergenbright] saying he had not been in office very long, but I do not know that he said he wanted to look up the law on that question.

Q. Is that what occurred there, as fully as you remember it? A. Yes, sir; unless something is called to my mind.

Q. Was there anything said in reference to a future interview, or further communication between the parties? A. Not that I call to mind now.

Q. Did you at any time after that see and converse with Mr. Ergenbright upon the same theme? A. Yes, sir.

Q. About how long after, and at what place? A. I could not state the length of time between, but the place was Coffeyville, Kansas.

Q. Do you remember the substance of your conversation with him then? A. Yes, sir.

Q. Relate it, if you please. A. Mr. Ergenbright saw me on my way to the train and told me he wanted to talk to me; I told him I was on my way to the train, then nearly due, and he said, "I will walk up with you to the depot and talk as we go along;" we started, and says he, "I have got to do something in this dynamite matter;" I says, "Why don't you do it?" he says, "I have either got to arrest the Vincents, charging them with libel, or have Henrie and Poorman arrested; I am between two fires." I told him in either event it would bring out the facts in the case; he asked me if I would then make a complaint; I told him no; that I had investigated the matter as I had told him at Independence, and was satisfied in my own mind that if the parties were arrested the trial would be nothing but a farce, and that I did not propose to have anything more to do with it. I will say in connection with that, I had told him the same thing at Independence the day Mr. Vincent and I were there. That is about the sum and substance of our conversation.

Q. Did you, in that conversation, assign to him the reason why you were of the opinion that the investigation or trial would be a farce? A. I did at Independence; whether I did at Coffeyville, I cannot say.

Q. In either of these interviews, what reason did you give for that opinion which you expressed? A. I told him of Mr. Elliott's action in the matter; also told him that Mr. Upham had turned around from his former position; that he had changed sides with his position when I first met him.

Q. Well, in what respect? A. In reference to the whole matter I might say that I told him at that time that shortly after the explosion I had called on Mr. Upham twice at least, and he gave me a description of the man that delivered the box; he also told me that he could identify him among any number of men if he would see him; he told me he could identify his photograph if I could get one; and he had a detective camera forwarded from New York to Ohio for the purpose of securing the photograph of the parties that were charged with this crime. Before the photographs were secured, he wrote me that he would be unable to identify the parties that delivered that box, but that he would be the main witness, and of course the conviction would rest entirely with him; that was the substance of the letter; it would be better to get the letter. By that letter I was convinced that it was useless to go any further in the matter; by that letter and these other interviews I had.

Q. Mr. Highleyman, you said among the places where you had conversed with Mr. Vincent, that Winfield was one? A. Yes, sir.

Q. Which was prior in point of time, your interview with him at Winfield, or your interview with him and Elliott at Independence? A. I rather think the first

time I met Mr. Vincent was at Coffeyville; this is my recollection; and we went from there to Independence together; perhaps I saw him before that.

Q. When you were at Winfield, state whether you and he were at the office of Swartz, the county attorney of Cowley county. A. Yes, sir; I met him before that time at Winfield.

Q. Does that refresh your recollection whether your conversation was with Swartz before your conversation with Ergenbright? A. Yes, sir; that was the fact.

Q. Which was first in order? A. The interview at Winfield.

Q. What was the purpose of that interview with the county attorney? A. I believe the object that I was there for was to give what information I had concerning this matter.

Q. That was what you went for? A. Yes, sir.

Q. You and the Vincents repaired to the office of the county attorney in company? A. Yes, sir.

Q. For what purpose did you go to the office of the county attorney? A. I say that is what I went for, to give information.

Q. To whom? A. The county attorney.

Q. Did you do so? A. Yes, sir.

Q. I will ask you to state whether Vincent was at that time desirous of having proceedings instituted against the parties supposed to have been guilty of the Coffeyville explosion. A. Yes, sir.

The witness was excused until 2 o'clock P. M.

C. S. WHITTED, recalled for the purpose of further cross-examination, testified as follows:

Examined by Mr. Curtis: Q. Will you please state to the Committee what was the nature of the organization known as the Videttes, and what was the purpose of this organization. A. Well, the nature of this organization and its objects were political, strictly.

By Mr. Henderson: Q. Was it their purpose to kill anybody? A. No, sir.

The witness was excused from further attendance, and the Committee adjourned until 2 o'clock P. M.

THURSDAY, March 5, 1891—2 o'clock P. M.

The committee convened pursuant to adjournment; a quorum present.

I. D. HIGHLEYMAN further testified as follows:

Examined by Judge Webb: Q. Your interview with Mr. Elliott, of Montgomery county, was before the interview with Mr. C. L. Swartz, just mentioned? A. Yes, sir.

Q. In your interview with Mr. Elliott, did you inform him of the evidence with which you were possessed? A. Yes, sir.

Q. In the interview which you had with Mr. Ergenbright when Mr. Vincent accompanied you, did you advise him of what evidence you were informed of? A. I think not in full, but sufficient at the time for conviction.

Q. Not fully, but to some extent? A. Yes, sir.

Q. State whether you mentioned to him the person by whom the proof might be made. A. I think I did.

Q. Do you remember now the individuals whose names you mentioned as witnesses? A. Yes, sir.

Q. Please repeat them. A. William M. Drugan and George W. Poorman—that is all.

Q. Mr. Upham? A. Yes, sir; that is true.

Q. You stated, Mr. Highleyman, that in the interview which you had with Mr. Upham he described to you his remembrance of the person from whom he received the box; do you remember the description of that person as he then gave it to you?

A. I think I do.

Q. I want you to repeat that. A. He said he was a man about five feet six or seven inches, dark eyes, dark hair, and dark complexion; had on a dark beard that was of about two or three weeks' growth; he would weigh about one hundred and thirty-five pounds, and looked as if he was about thirty-five years old; his whiskers he thought were false, and he thought if the whiskers were taken off he would look younger; he had on a soft hat, narrow brim, and low-crowned; white shirt, and turned-down collar, and long neck-tie; rather nervous in his actions, and winked his eyes quickly. I have forgotten what kind of a coat he said he had on; I think it was a frock coat, but I would not be sure.

Q. Do you remember whether in his description he made any allusion to any peculiarity of or about the nose? A. No, sir; he did not.

Q. Do you remember whether he said anything concerning the hair being apparent beneath the hat? A. I think not.

Q. About what time was it when Mr. Upham gave you such description? A. It was a very few days after the explosion; how long I cannot say.

Q. Where were you at the time? A. In the depot at Coffeyville, in the Missouri Pacific and D. M. & A. depot, back in the freight-room.

Q. Was the conversation one between you and him privately, or a general conversation in the presence of other persons? A. Between us alone.

Q. For what purpose were you interrogating him? A. I wanted to find the man who left the box there.

Q. Did you afterwards have any conversation with him concerning his ability to identify or recognize the person if he should see him? A. Yes, sir.

Q. Where and when was that conversation? A. That was, I think, while we were standing on a dray or just on the platform of the depot at Coffeyville, and I would judge it was perhaps two or three weeks after the first conversation, but I will not be positive.

Q. Do you remember whether you had previously to that time seen and had any interview with Elliott? A. No, sir; I think that was on the same day, and before I saw Mr. Elliott.

Q. Upon how many occasions did you see him talk with Mr. Elliott concerning this subject? A. Once.

Q. When was it that you learned from Mr. Upham of his inability, or his expressed inability, to identify, if he were to see him, the person from whom he received the box? A. I could answer by referring to a letter of his, that is the only way I could give the time. [After refreshing his recollection by looking at a letter:] December 3d. There is no year on it, but it was 1888, I think.

Q. Was it from the contents of that letter that you derived such information? A. Yes, sir.

Q. That is a letter received by you? A. Yes, sir.

Q. Purported to have been written by whom? A. H. M. Upham.

Q. How did you receive it? A. Through the mail.

Q. Before receiving that letter, you had been both at Winfield in consultation with Vincent and Swartz, and at Independence in consultation with Elliott? A. No, sir, I believe not; I had seen Mr. Elliott before, but not Mr. Swartz.

Q. How soon after receiving that letter were you at Winfield, when you saw and

talked with County Attorney Swartz? A. I do not know; it is possible that I saw Mr. Swartz before I received this letter; I think I did not.

Q. Are you personally acquainted with Mr. C. A. Henrie? A. No, sir.

Q. Have you, at any time, had conversation with him pertaining to the Coffeyville explosion? A. No, sir.

Q. Have you been in correspondence with him upon any subject? A. No, sir.

Q. Did you, at any time, institute inquiries after and concerning his whereabouts? A. Yes, sir.

Q. Do you know about what time you instituted such inquiries? A. About the middle of November, 1888.

Q. I want you to state what steps you took tending or designed to ascertain Henrie's whereabouts? A. I cannot answer that question satisfactorily; I will say this: I know that I instituted a search for him in Topeka by other parties; who they are I do not know. I obtained the information, but how I do not know, that Mr. Henrie was not here at that time.

Q. About what time? A. I think that was about the middle of November.

Q. Did you write to any person here concerning him? A. Yes, sir.

Q. Do you remember about when? A. About that time.

Q. To whom did you write? A. I wrote to an attorney; I think it was Glead & Glead, if there is such a firm here.

Q. Did you receive any answer to your inquiry of this gentleman in response? A. Yes, sir.

Q. Do you remember substantially what you wrote them? A. Yes, sir.

Q. Please state it. A. I wrote them and asked them if they could collect an account of Mr. C. A. Henrie.

Q. You say you did get from this gentleman a response? A. Yes, sir.

Q. Have you it? A. No, sir.

Q. Would you know it if you saw it? A. Yes, sir.

Q. Is that it? [Handing witness a paper.] A. Yes, sir.

[The letter was offered in evidence, and marked Exhibit 32.]

Mr. Curtis objected to the introduction of the letter in evidence as having no materiality to the subject-matter under investigation, and the objection was sustained.

Q. You say you made an attempt to ascertain where Mr. Henrie was during the time of your investigation? A. Yes, sir; that is correct.

Q. What means did you employ for that purpose? A. I cannot tell you; I think it was by correspondence; with whom, I cannot say.

Q. Have you any portion of the correspondence? A. I have not saved all my letters in relation to this matter; I do not know what has become of them; I presume that correspondence is gone.

Q. Do you know, Mr. Highleyman, whether you turned over to Mr. Vincent any part of the correspondence, which you had with any persons, pertaining to the matter of inquiry? A. I was not aware of it, excepting one letter, until this letter was brought up.

Q. I will ask you to state, Mr. Highleyman, whether you have, at any time in the past, been engaged in what we ordinarily denominate the secret detective service. A. Only privately, in connection with the Ohio Valley Detective Association. I did not belong to it.

By Mr. Curtis: Q. How long have you lived in Chetopa? A. Since the fall of 1881.

Q. What has been your business since you have lived there? A. I have been connected with the Missouri Pacific and M. K. & T. railroads, and in addition to that I was handling walnut logs.

Q. In what capacity were you connected with these two railroads? A. I was in the tax department, and I used to be in the claim or law department when I first went on.

Q. Is the claim department a distinct and separate department in railroad affairs? A. It was not then, but is now.

Q. Are the men connected with the claim department detectives? A. No, sir.

Q. Special agents? A. No, sir.

Q. How long have you been in the private detective business? A. I have been since 1874, I believe.

Q. Were you ever connected with any detective organizations? A. Not directly.

Q. Have you belonged to either of these Kansas detective associations? A. No, sir.

Q. Have you been a correspondent with any of the associations as a regular correspondent or agent? A. No, sir.

Q. To what extent were you engaged in the detective business, and what agencies were you connected with? A. I never was connected with any.

Q. Who was the first man you talked with about this Coffeyville dynamite explosion? A. Well, I cannot tell you.

Q. Who was the first person that was supposed to be interested in it in any way that you talked to about it? A. Mr. Upham.

Q. How many talks did you have with Mr. Upham? A. I think three.

Q. What was the effect of your first conversation? did you go to work? A. Yes, sir.

Q. At which of the conversations, if any, did you and he figure up the amount of reward offered? A. I do not think we did in any.

Q. Did you not figure up the amount of reward and talk about the division of it? A. No, sir.

Q. Did you, at Coffeyville, sit down and figure up the amount of the reward offered? A. No, sir.

Q. Didn't you do it at the time he agreed to furnish this detective camera? A. No, sir.

Q. Who paid for and furnished the detective camera? A. Mr. Upham.

Q. To whom was it sent? A. William M. Drugan.

Q. Where? A. Bellaire, Ohio.

Q. Was it not sent to a party in Wheeling, West Virginia? A. It might have been Wheeling, West Virginia; Wheeling is just across the river; it might have been sent there.

Q. Were you at that time in correspondence with these detectives? A. Yes, sir.

Q. What ever became of that camera? A. I do not know, except what I learned by letter.

Q. Did you ever get or obtain a picture of the party whose picture was intended to be taken with that camera by the detective to whom it was sent? A. No, sir.

Q. Will you produce the letter you received from Mr. Upham on the 3d of December? [Witness here produces letter and hands it to counsel.]

Q. This is the letter you received from Mr. Upham is it? A. The one I got through the mail.

[Counsel offered the letter in evidence; it was marked Exhibit 32, made a part of the record, and was as follows:]

[EXHIBIT 32.]

COFFEYVILLE, December 3d.

Mr. I. D. Higleyman, *Chetopa, Kas.*—DEAR SIR: Noting yours of the 2d inst. relative to the request you make, I will say that I can't make the complaint against this party; I don't know anything about him, haven't even seen his picture, and I have no evidence at hand that he is guilty of any offense against me. If he has committed an offense against the state or the laws of society, the county officers

will take hold of it, and if he is bro't to me for identification as the party who bro't the box to my office I will do the best I can; but you know I have my doubts about being able to identify him when I only saw him a few moments and he then had a full beard, and this man you say has only a mustache. Altho' he may be the party, yet if I can't identify him positively, how is he to be convicted? I hope, most assuredly, he is the right one, but with the case as it stands I can't make any complaint; I am simply the principal witness, and if I identify him the county officers will attend to him.

How about his picture? Have you not succeeded in getting that yet? or has the detective made any attempt?

Yours truly, H. M. UPHAM.

Q. Is that the only letter you ever received from Mr. Upham? A. I do not know.

Q. That was written to you, was it not, in reply to a letter you had written to him on the day before? A. I suppose so.

Q. In that letter does he tell you at any place he would be unable to identify the party if they should be arrested? A. I do not know; the letter speaks for itself.

Q. In your conversation with him before that letter was written, is it not a fact that you had told him the party you suspected had no whiskers and only wore a mustache? A. Yes, sir.

Q. Did he not at that time tell you that he did not know whether or not he would be able to identify the party if they only had a mustache? A. At one conversation, the time he spoke of getting a photograph, he said he could recognize the party even if he had taken the false beard off; he said he was an amateur photographer and could identify his photograph if we could get one.

Q. Did he not tell you, at either of these conversations that he could not identify the party if he had only a mustache? A. Yes, sir.

Q. Why was it that you did not obtain a picture of the party whom you suspected was guilty of this offense? A. The detective wrote me that the chemicals would not work, or that he did not know how to work them, or something to that effect.

Q. Have you got the letter? A. I believe I have; [looking for letter;] no, I believe I haven't it.

Q. Did you ever come to Topeka yourself for the purpose of seeing Mr. Henrie? A. No, sir.

Q. Why didn't you? A. I do not know how to answer that.

Q. You may state if you corresponded with any detectives in this city as to Mr. Henrie or his whereabouts. A. Well, I say no, sir; as I told you before, I do not remember who I corresponded with.

Q. At the first time you met Mr. Elliott and talked with him upon this subject, what, if any proof, did you tell him you had? Just tell this Committee what you said to him about the proof. A. I would have to give you the whole conversation. I told Mr. Elliott of the fact of having seen Mr. Upham, and of getting a description of the man; I also told him that I knew Poorman, and I had written to detectives at Poorman's home, intimating to them that Poorman might be connected with this explosion, and I will just add I sent a paper with an account in this paper. I told him to keep watch of Poorman and see if anyone would come to him filling this description; a short time after that I received a letter stating that a man by the name of Henrie was there, and was receiving his mail through Poorman's wife is my recollection, or his father, and that he was corresponding with his wife and Ed. Greer; and after that I wrote to this man and told him that my judgment was that the party was there and knew something about the delivery of that box if he was not the person himself who delivered it; I also told him to try to get into the merits of the case as best he could; he wrote me in answer to that letter, that if Poorman and Henrie were arrested, that Poorman would squeal on Henrie, and tell all about it. I think that is the sum and substance of my conversation with Mr. Elliott.

Q. Did you not tell Mr. Elliott that you had a confession of Mr. Poorman's? A. No, sir.

Q. Did you ever have a confession of Mr. Poorman, or what purported to be a confession of Mr. Poorman? A. No, sir.

Q. Have you the letter in which the detective told you the person—that Mr. Henrie was at Bellaire, Ohio? A. I think I have, but I cannot be certain about it.

Q. Produce it. A. Here is one; shall I read it?

Q. Were you ever positively informed that Poorman would squeal if the rest did? A. Nothing more than this letter from Mr. Drugan stated.

Q. Why was it you informed the county attorney, Mr. Ergenbright, that if Poorman was arrested and Henrie was arrested, that he could be convicted upon Poorman's testimony? A. I told you that I told him what information I had from these letters.

Q. Did you not write him that Henrie would be convicted, provided the evidence of Poorman could be had, and also some other parties? A. Yes, sir, I expect I did.

Q. If at that time you did not know what Poorman would swear to, why did you write this letter? A. I knew the man that wrote these letters to me, and I took his word for it.

Q. Is it not a fact that you never had in your possession enough evidence to convict anyone? A. At that time, I believe you are right.

Q. Have you now in your possession enough evidence to convict anyone? A. Well, I will answer that by telling you what evidence I have got, and I presume you would know whether that would convict or not, as well as me.

Q. Is it not a fact that in your conversation with Elliott and with this other county attorney, Ergenbright, that you relied wholly for a conviction upon the supposed fact that Poorman would, if arrested, tell something, or squeal? A. No, sir.

Q. Then, why did you write him upon the 26th day of August, 1889, that these parties could not be convicted unless this evidence of Poorman could be obtained? A. Just for the same reason that I told you a few moments ago, that I was fully convinced that after I had a conversation with Mr. Elliott that no conviction could be had.

Q. Mr. Elliott based his opinion upon the fact that there was no law covering the case? A. Yes, sir.

Q. Was that the reason you thought nobody could be convicted, because no crime had been committed? A. No, sir.

Q. Mr. Ergenbright offered to prosecute, did he not? A. Yes, sir.

Q. He demanded of you, your evidence, did he not? A. I guess he demanded it along in the fall or summer of 1889.

Q. You knew Judge Chandler, did you not? A. Yes, sir; well.

Q. There was no question at that time about his being a fair and impartial judge? A. I think not; I never heard of it.

Q. You knew the people of that county, did you not? A. Not very well; I knew a few.

Q. Was there any question but what if parties were arrested and tried, that the judge would do his duty, and a jury would do what they thought was right under the evidence? A. I believe not.

Q. Do you know whether or not Mr. Upham, himself, offered a reward for the arrest and conviction, or detection of the parties who delivered the box at Coffeyville? A. I do not.

Q. Did you not desire and request to be appointed the agent of the state to go after Mr. Poorman in case he was arrested in Ohio? A. Yes, sir.

Q. Did you not offer to divide with Mr. Upham your mileage in case he would

make a complaint, or in case you were made an agent and sent after this party, Mr. Poorman? A. No, sir.

Q. What offer of division did you make him? A. None, whatever.

Q. Didn't Mr. Upham agree with you, that if the picture that was obtained by your associate in Ohio or West Virginia should enough resemble the man so it would be possible to identify the party, that he would make a complaint? A. Yes, sir, in the first conversation we had. No, I don't believe I will say that; I do not think he agreed to make a complaint.

Q. How long had you known this detective, William H. Drugan? A. Ever since 1866 or 1867, I believe.

Q. Didn't Mr. Upham offer you a reward if you should arrest and convict the parties who delivered to him the box? A. He might have done so; I do not remember.

Q. Were you in Ohio at any time looking for Mr. Poorman, or any other person that you supposed was connected with this affair? A. No, sir.

Q. At the time you consulted with Mr. Ergenbright, the county attorney, what evidence, if any, did you produce to him, or offer him? A. I do not know that I offered him any evidence only in a general way; I was disgusted with the case at that time, and I did not have much to say.

Q. Did you at any time have your party in West Virginia or Ohio try to intercept any letters between Mr. Henrie and his wife? A. They wrote me that they had; I do not know what the word was anyhow.

Q. Who said that? A. Drugan.

Q. Who did he say had them? A. He did not say.

Q. You did not know anything about whether Mr. Henrie was in Ohio or Virginia or where, did you? A. No, sir.

Q. If Mr. Henrie was here in Topeka, or in Shawnee county, your party was mistaken about the man in Ohio being Mr. Henrie? A. Yes, sir.

Q. What day did he say this party was in Ohio or West Virginia? A. I cannot answer that.

Q. Can you refresh your memory? A. Only he had been there prior to the 17th of November; may be the 7th.

Q. What year? A. 1888?

Q. Have you any way by which you can refresh your memory, by which you can fix the date that your party claimed that Mr. Henrie was in Ohio or West Virginia? [Witness looks at letters.] A. This is December 1st, prior to December 5th; it was prior to the 21st of November instead of the 17th or 7th.

Q. Can you state to this Committee about how long you were informed Mr. Henrie was in Ohio? A. I cannot.

Q. Was he there as much as a week? A. I cannot say.

Q. And personally, you do not know whether he was there at all or not? A. No, sir.

Q. Had you not sent a description of Mr. Henrie to this detective in Ohio, or Virginia? A. No, sir; the first time I heard of Mr. Henrie was from these letters I got from Bellaire, Ohio; that is my recollection now.

Q. When, if ever, did you get a description of C. A. Henrie? A. I never got one, to the best of my recollection.

Q. Did you ever, at any time, tell any person that the description you had obtained from Mr. Upham corresponded with the description of Mr. Henrie? A. Why, I have since I came here, except the complexion.

Q. Did you not have published in the red book this statement: "Since I received from Ohio the description of Henrie and heard of his being at Bellaire, I told him I thought I had the man located who had delivered the box to him"? A. I do not

catch on to that correspondence, let me see it. [Counsel hands him the book.] Why, I expect it is all right, but I have no recollection of being interviewed; I do not remember whether I have ever read this book.

Q. Is it not a fact that you had not received any description of Mr. Henrie? A. I never received a description of Henrie, to the best of my recollection. Mr. Bannan, in Chetopa, where I live, told me—I guess it has been a year ago—gave me a description of Mr. Henrie, just in a casual way.

Q. Prior to your meetings with the county attorneys? A. No, sir.

Q. Then this statement in the red-book is false? A. I do not know what it says. [Counsel repeats question to witness.] I think I understand that now; when this man Drugan wrote me that Henrie was there, a man by the name of Henrie, I supposed he gave me a description of Henrie; I won't say that he did, but I just supposed that he did from that.

Q. I will ask you to state if it is not a fact that there are twelve or fifteen Henries living in Bellaire? A. I do not know of any; I have not been there for fifteen or sixteen years to live there.

Q. Do you remember Charles Henrie, who lived there when you were there? A. No; I do not call him to mind.

Q. Didn't he run a coal bank there? A. I used to know everybody there; perhaps there was a man who ran a coal bank there by that name, but I do not recall him.

Q. Then you used to live there? A. Yes, sir; I lived there.

Q. You were on the police force, were you not? A. Yes, sir.

Q. Do you know Mr. Poorman? A. Yes, sir.

Q. Were you on intimate terms with Mr. Poorman then? A. So far as I know.

Q. Have you, since you knew Mr. Poorman in Ohio, been on bad terms with him? A. Not that I know of; he might have had something against me; I never had against him.

Q. You were interested in a lawsuit against him, were you not? A. I don't believe I was; I might have been.

Q. Do you remember of his working for the B. & O. railroad? A. Mr. Poorman?

Q. Yes, sir. A. No, I do not.

Q. You do not remember of having any lawsuit in which he was interested? A. No, sir, I do not.

Q. Was there a garnishment process issued by yourself against his wages, or something of that kind? A. Well, if ever there has been I have forgotten it entirely; it might be true.

Q. Do you know who interviewed Col. Poorman, father of George W. Poorman? A. No, sir.

By Judge Webb: Q. You wrote Mr. Drugan as you stated in the former part of your testimony; did you, as nearly as you can, describe the man that you were in pursuit of as Upham described him to you? A. Yes, sir.

Q. And afterwards you received the intelligence that was drawn out by Mr. Curtis that Henrie had been there? A. Yes, sir.

Q. Do you remember after that of telling Upham that you had the man located? A. Yes, sir.

Q. What was it that enabled you to say to Upham that you thought you had gotten the man located—the man he had described to you? A. I took the circumstances connected with the case, and the letter I received from Drugan describing the man who was there, and saying his name was Henrie, and before I had seen Mr. Upham I learned that Mr. Henrie was not in Topeka, and his wife did not know

where he was; that information, as I said before—I do not know from whom I got it, nor how I got it.

Q. Was it in the light of these several features that you thought the man was at Bellaire? A. Yes, sir.

Q. You say you do not remember anything about the letter in the red-book—I want to call your attention to it and see if you cannot remember about it—do you remember of being at John Breidenthal's office in company with Mr. Vincent, when the correspondence between you and him was reduced to writing by Breidenthal's stenographer, designed for publication, and afterwards set in type and proof submitted to you before it was inserted and circulated in the paper? A. No, sir, I do not remember it; it might be true.

[The two letters from Mr. Drugan were offered in evidence and marked Exhibits 33 and 34. Mr. Curtis objects to the letters as immaterial and incompetent, for the reason that the witness has gone over them in his oral testimony. The objection was withdrawn, and the letters were read in evidence, and were as follows:]

[EXHIBIT 33.]

BELLAIRE, OHIO, December 5th, '88.

I. D. Highleyman, Chetopa, Kansas—DEAR SIR: Yours of the 2d at hand. Poorman was here a few days ago, and will be here again to-morrow. Henrie has not been here for some time, and we don't know where he is now. The photo camera has not come, nor have I heard anything at all from it. Get the requisition for Poorman on the state of Ohio. Would advise you to not get any requisition for Henrie until he is arrested. If Poorman is arrested he will squeal on Henrie.

Yours truly,

W. M. DRUGAN.

[EXHIBIT 34.]

BELLAIRE, OHIO, November 21, 1888.

I. D. Highleyman, Chetopa, Kansas—DEAR SIR: Yours of the 17th at hand. Your idea of getting a photograph of Poorman and Henrie is a good one, and if you will send us an instrument we will have the photo of Poorman taken right away, and I think we can get Henrie's in a few days. We can trace the mail of Poorman, Henrie and Greer, and may be able to intercept it. Can you trace or intercept the mail to Henrie's wife? We don't think that Poorman was away from Bellaire long enough to be at or about Kansas, October 18th; we know positively he was not there on the 18th.

Poorman, and also his father, are afraid of something. One of our men has been talking to the old man, and in his endeavors to pump him, the old gent. came very near saluting.

Our theory is that if you have Poorman arrested *he will squeal* and give away all his confederates. He is now in West Va., but we can get him any instant the authorities of Kansas may want him.

If you have any influence with the authorities, or persons who have offered the reward, we would advise you to request them to offer—say \$4,000 for Poorman's arrest and the balance, \$1,600,00, Sixteen Hundred Dollars, for his conviction. *He is guilty*, and will squeal when he is arrested.

Don't forget the photo instrument and send it immediately, unless you determine to have Poorman arrested.

Yours truly,

W. M. DRUGAN.

Q. You say you were raised at Bellaire? A. Yes, sir, I might say raised there.

Q. How old a man are you, Mr. Highleyman? A. I was born in 1848, January the 26th.

Q. You said that you had been at Chetopa since 1881? A. I think it was the fall of 1881.

Q. When did you leave Ohio? A. In April, 1876.

Q. Have you been there since? A. I have been back there on a visit, that is all, three or four times.

Q. About how old is this man Drugan? A. I should judge about fifty-two or three years old.

Q. Just state the time of your becoming acquainted with him and the character of your acquaintance. A. I guess I just met him on the streets the same as anyone else, and became acquainted with him in that way.

Q. Where and when? A. I cannot tell you.

Q. You can tell me where? A. In Bellaire, Ohio.

Q. When you lived there, when you came away, or since? A. Before I left there; I have been acquainted with him nearly all my life.

Q. He has been, so far as you know, generally employed at what? A. He was chief of police there for a number of years, and constable, and chief of the Ohio Valley Detective Association.

The witness was excused.

S. W. CHASE, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Henderson: Q. You may state your name to the Committee. A. S. W. Chase.

Q. Where do you reside? A. Tisdale township, Cowley county, Kansas.

Q. Do you remember of hearing of the Coffeyville dynamite explosion? A. I do.

Q. Do you now remember what day of the month it was that you first heard of that occurrence? A. I do not.

Q. Do you remember when it was with reference to the time of the explosion? A. Only from hearsay of the explosion.

Q. When was that? A. I do not remember the day.

Q. Was it the day following? A. Yes, sir.

Q. Were you in the First National Bank of Winfield upon that day? A. I was.

Q. Was the Coffeyville dynamite explosion the subject of conversation while you were in the bank? A. That was the first I heard of it, while I was in the bank.

Q. Who was present at that time? A. A group of men were standing around the center-table in the bank; I do not remember positively all; only two that I could name, possibly three, but I would not be positive about the third one.

Q. Who were they? A. It was Mr. Kennedy and Mr. Brown.

Q. Which Brown? A. The old man.

Q. Who else? A. I think M. S. Reed was there.

Q. What conversation took place at that time? A. I had business at the bank; went up to the cashier's window and did my business whatever it was, and as I went to go out I had to pass this group of men; they told me there the first that I heard of this explosion, and they were consulting together what was the best thing to do with the Vincents. Some one of them, I do not remember which one, was in favor of giving them notice to get out on the 6 o'clock train.

Q. Give who? A. The Vincents; others were in favor of hanging them.

Q. What for? A. They claimed that they were the parties that caused the dynamite explosion.

Q. Were you at that time acquainted with the Vincent Brothers? A. I was not.

Q. What were your politics at that time? A. I was a republican.

Q. You were a red-hot republican, Mr. Chase? A. Considered so; yes, sir.

By Mr. Curtis: Q. Did you not at that same time turn around and say to these men, or say to them without turning around, that "those Vincents ought to be hung to the nearest telegraph pole—this is their work"? A. No, sir, I did not.

Q. Did you not say that the Vincents ought to be hung? A. I did not.

Q. Didn't you repeatedly, after this occurrence, say that "The Vincents ought to be hung"? A. No, sir.

Q. Didn't you repeatedly say that you thought it was the Vincents' work? A. I did not.

Q. And that you never changed your opinion about the matter until you got on the other side of the fence? A. No, sir.

Q. You say that you did not at any time say the Vincents ought to be hung? A. No, sir.

Q. You occupied what position in the people's party this last fall? A. I was chairman of the state central committee.

By Mr. Henderson: Q. At the time this statement was made in the bank, what

reply, if any, did you make? A. Yes, sir; I made the reply that if they were the guilty parties, there was a law to prosecute them for it, and that was my advice—to take the law, and not foul means.

The witness was excused.

Mr. Henderson stated to the Committee that he had assumed the responsibility of consenting that Mr. Hackney, who was brought here as a witness for the defense, might be sworn and give his testimony at that time, as he had to go away on very important business. There being no objection, the Committee consented to hearing the testimony of Mr. Hackney at this time, the same to be placed in record as the first testimony offered by the defense.

W. J. BRANDEN, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Henderson: Q. You may state your name to the Committee. A. W. J. Branden.

Q. Where do you reside? A. In Kingman, Kansas.

Q. Are you acquainted with Bion S. Hutchins? A. I am.

Q. How long have you been acquainted with him? A. I have been acquainted with him five years, I think.

Q. Do you know what political position, if any, he held in 1888? A. If I mistake not, he was secretary of the republican state central committee.

Q. Do you remember the fact of the publication of the so-called expose during that campaign? A. I do.

Q. Did you, after the publication of such expose, having reference to the first publication, hear of the Coffeyville dynamite explosion? A. I did.

Q. Did you about the same time hear of the second expose, as claimed by the republican papers of this state, being published? A. I do not think I heard of the second expose of the Videttes.

Q. Do you remember how many publications you read in the paper? A. No, sir.

Q. Well, after this Coffeyville dynamite explosion, and after the so-called expose, did you have any conversation with Mr. Hutchins with reference to campaign just ended? A. Yes, sir.

Q. When was it? A. I do not know as I can tell the date exactly.

Q. About when, Mr. Branden? A. It was, I think, after the legislature had adjourned.

Q. Do you remember what position he was occupying at that time the time you had this conversation with him? A. I had several conversations with him; at one time he was oil inspector, if I remember.

Q. Now, then, at that time was the subject of this so-called Vidette expose talked about? A. Not at that particular time that I remember of him being oil inspector.

Q. When was it talked about? A. Before that.

Q. You may now state to the Committee what that conversation was. A. The conversation started out in regard to the scheme; I says to him, "You fellows worked quite a nice scheme;" "Yes," he said, "don't you think it was a good scheme, politically?" I said "Yes," and we being friendly, had some further talk; I cannot remember all the words.

Q. Did you in that conversation, ask him through whom he worked his scheme? A. He said C. A. Henrie had helped him, and others, at Topeka.

Q. Did he state to you what was the object of this scheme? A. The object was to show up the Vincents, and the anarchists and dynamiters.

Q. Did you say anything to him then in that conversation, as to his private opinion relative to the Vincents? A. Yes, sir.

Q. What was it? A. I said, "Bion, you don't think these men are dynamiters or anarchists, do you," and he made the reply that he did not, but that anything was fair in politics.

Q. Did you have any further conversation with him? A. I probably had at that time, I do not remember of it; I had a conversation afterwards when he came to inspect my oil; I was in the oil business.

Q. You may state to the Committee what conversation took place at that time between you and Mr. Hutchins. A. Mr. Hutchins asked me if I thought that there would be an investigation, and I told him that I understood they wanted an investigation; that the Vincents were demanding one, or something to that effect.

Q. Well, what else was said? A. He made the remark to me that he did not think there would be an investigation.

Q. Did he assign any reason why there would not be an investigation? A. No, sir, not particularly.

Q. Was there anything else said in that conversation other than that which you have stated? A. Not that I remember of; it has been a good while ago.

By Mr. Curtis: Q. I understood you to say that the first conversation was simply in reference to the expose; the conversation that you related when he said the scheme was a good one? A. Yes sir.

Q. That was in reference to the expose? A. Well, I do not remember; it was in reference to the scheme.

Q. You had just been talking about the expose, had you not? A. Yes, sir.

Q. But did he say anything about its being a good scheme in reference to its being published over the state in the various leading republican papers at the same time? A. He said it was a good political scheme to have the people believe that the Vincents were anarchists and dynamiters, and thereby do away with the union labor movement.

Q. Did he tell you what part Mr. Henrie took in the preparation of the expose? A. He did not.

Q. Did he tell you where Mr. Henrie prepared the expose? A. Nothing more than it was in Topeka, where it was fixed up.

Q. Was there anything said in that conversation about the preparation of dynamite or other explosive substance? A. No, sir.

Q. I understood you to say, and I want to know if it was a fact, that the conversation was simply about the expose that was published in the various papers over the state? A. The conversation was, in my estimation, connected with the expose and explosion; I do not know as we distinguished it in particular.

Q. What was said about the explosion? A. Not particularly anything.

Q. Did he tell you that Mr. Henrie had helped him prepare any explosive substance in Topeka? A. No, sir.

Q. Did he say any explosive substance had been prepared by the republican state central committee? A. No, sir, he said he did not think there was any explosive prepared; I believe since you have called my attention to the fact, that I mentioned the matter, and he laughed, and said he probably knew more about it than I did.

Q. About the explosion? A. Yes, sir.

Q. Didn't he say he knew more about the part he had to do with it than you did? A. I did not understand it so.

Q. Did Mr. Hutchins ever pretend to you that he knew anything about the placing of the box at Coffeyville, or the delivering of it to the agent, or its preparation? A. No, sir.

The witness was excused.

EMMET TIFFANY, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows :

Examined by Mr. Henderson : Q. You may state your name to the committee A. Emmet Tiffany.

Q. Where do you reside? A. Kingman, Kansas.

Q. Are you acquainted with Bion S. Hutchins? A. Yes, sir.

Q. Were you acquainted with him in 1888? A. Yes, sir.

Q. Do you remember of being present at a conversation in which you participated in, in the office of the *Voice of the People* in the city of Kingman with Mr. Hutchins? A. Yes, sir.

Q. When was that? A. It was in the spring; I cannot give the date exactly; it was about the first I had seen of Mr. Hutchins around since the campaign.

Q. You may relate that conversation in your own way. A. We were in the office; I do not know what he came in for; my best recollection is that he came after a paper to find out something that had been published in the paper, and while in there he was accused by somebody of putting that Vidette expose in the paper. He admitted that he instigated that, and I think I said to him, "You knew there was no such order, didn't you?" I think he said there was nothing in it, but he thought it was a good campaign document to have spread in the republican papers of the state. Some one said it was, followed up as it was by the dynamite explosion at Coffeyville. I think Snider said then, "Yes Bion, they will have you in jail for that," and the conversation stopped for a minute, and Bion kind of acted as if he did not like the situation, but he finally laughed and said, "You cannot lay that to me; I know something about that myself."

Q. Is that the substance of that conversation? A. That is the substance; yes, sir.

By Mr. Curtis : Q. Did he there pretend to have any personal knowledge of the explosion? A. Nothing only what I have said.

Q. That is, that they could not connect him with that? A. He said he was not to blame for that.

The witness was excused.

MR. BRANDEN, recalled, and examined by Mr. Henderson, testified further as follows :

Q. In either of the conversations you had with Mr. Hutchins, was there anything said about Mr. Henrie and the appointment he had received? A. Yes, sir.

Q. You may state to the committee what that was and what connection he had with it. A. The conversation drifted to the appointment of C. A. Henrie as assistant labor commissioner, and he told me that he had used his influence with Governor Humphrey to have him appointed; that he was a good man.

Q. Was there anything said in that connection about the debt of gratitude that the republican party owed to Mr. Henrie for his work? A. I cannot remember his conversation, all of it.

The witness was excused.

Committee adjourned to meet at ten o'clock Friday morning.

TOPEKA, Friday, March 6, 1891 — 10 o'clock, A. M.

Committee convened pursuant to adjournment; a quorum present. The following proceedings were had:

MRS. M. F. LEASE, being duly sworn to testify to the truth, the whole truth, and

nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Henderson: Q. You may state your name to the committee.
A. M. E. Lease.

Q. Where do you reside? A. Wichita, Kansas.

Q. Are you acquainted with Ed. P. Greer, of Winfield, Cowley county, Kansas?
A. I think I have been introduced to the gentleman several years ago.

Q. Are you acquainted with C. A. Henrie, of Topeka? A. I am not; I have never met him personally; I know of him.

Q. Are you acquainted with Bion S. Hutchins? A. Yes, sir.

Q. How long have you been acquainted with him? A. I think some four or five or six years, perhaps.

Q. Where were you acquainted with him? A. I met him first in Kingman -- my old home, Kingman county.

Q. Were you acquainted with his parents? A. I was quite well acquainted with his mother and sister; they were neighbors of mine.

Q. Do you remember of reading in the newspapers what was called the expose of the National Videttes, published sometime in the early part of October, 1888? A. Yes, sir; I remember of reading it.

Q. Do you remember of reading what was termed the second expose of the Videttes? A. I do.

Q. Do you remember of hearing of that which is designated as the Coffeyville dynamite explosion? A. Yes, sir; I do.

Q. I will ask you to state to the committee if at any time thereafter you had any conversation with Bion S. Hutchins in relation to the three matters to which I have called your attention? A. I had; yes, sir.

Q. Where did this conversation take place? A. Clay Center.

Q. At what place? A. The principal hotel in Clay Center, the Bonham House.

Q. Were you stopping at the hotel at that time? A. I was; yes, sir.

Q. Did Mr. Hutchins, among others, call upon you during your stay in that city?
A. He did.

Q. How long were you in the city at that time? A. I reached Clay Center Saturday evening about supper-time, and left Tuesday morning.

Q. During what time of your stay did Mr. Hutchins call on you? A. He called on me Saturday evening, I should say, between seven and eight o'clock; it was after supper.

Q. Do you know what business he was then engaged in? A. He was then engaged in the newspaper business.

Q. Do you remember the name of the paper of which he was the editor? A. I have an idea it was the *Dispatch*; I am not sure; I paid no particular attention to it.

Q. How long did he remain in your rooms when he called on you Saturday evening? A. I should judge from fifteen minutes to half an hour.

Q. Were any other persons present during any of the time that he was in your room? Yes, sir.

Q. You may state to the committee who they were. A. W. D. Vincent, of Clay Center.

Q. During what portion of the conversation that took place between you and Mr. Hutchins was Mr. Vincent present? A. The latter part of the conversation.

Q. Did Mr. Hutchins in that conversation inform you as to what position he occupied during the political campaign of 1888? A. Yes, sir; I had almost forgotten him when he came in, and I asked the name, and he said, "Bion Hutchins," and I said, "I beg pardon; the chairman of the Republican State Central Committee:" and he said, "No -- Secretary;" that was the only reference he made to his position.

Q. Who introduced the subject of the Vidette expose in that conversation? A. I think Mr. Hutchins did; I am not sure; I could tell definitely by going over the conversation.

Q. You may now state to the committee in your own way what was said in that conversation as near as you remember. A. The whole of the conversation at that part relative to the subject-matter in hand?

Q. Tell the entire conversation, giving it in the order in which it occurred. A. We spoke in a general way at first, in regard to the uprising of the people, the condition of affairs politically; spoke of newspaper work, discussed the discussion that I had with Mrs. Walker in the *Harper Graphic*, and after that we talked a few minutes; he turned to the table that was covered with papers, and asked: "What paper are you working for now?" I said, "I am working for the *Non-Conformist*, published at Winfield." He said, "That is a wild anarchistic sheet"; I laughed, and said, "From your standpoint it may be, but they are doing a grand work, exposing the schemes of the state republican committee." "Are they doing that?" he said. I said, "Most certainly they are; they are showing you up pretty thoroughly over the country." He said, "If I thought they were worth it, I would have them arrested." I said, "It seems to me, Mr. Hutchins, whether it is worth it or not, can any honest man or any innocent man afford to remain silent under the accusations this paper has made against him; your scheme worked splendidly at first, but the reaction has come and it is telling against your party." He rubbed his hands gleefully together and chuckled and said, "That scheme did work splendidly, didn't it?" "Yes," I said; "but you know there was nothing to it." "I am willing and ready to admit," he said, "that there was nothing to it, and we only used it to make votes against you folks, but it worked splendidly just the same." He said, "I will tell you how we happened to get up such a splendid expose; we published a little of it at first, and then C. A. Henrie went around to the different lodges, Yates Center, Winfield, and Wichita, and introduced the subject to the different assemblies in order to see how the parties would take it, and after he returned we had the plate-matter set up at headquarters, at the state printing office, and published the complete expose simultaneously." I said, "Then C. A. Henrie is a spy as well as an anarchist." He said, "Why do you call him an anarchist?" I said, "Because he is mentioned in the *Life of A. R. Parsons* as a tried comrade of the Chicago anarchist and revolutionary socialist;" he said, "I have heard that stated, and I would like to see it;" I said, "I have it, if I am not mistaken; I have the book in my possession at the present time." I looked for the book, and was unable to find it; I promised him, however, that I would send him a marked copy of the book, which I afterwards did. I said, "What is the general character of this man Henrie? what kind of a reputation does he bear?" He said, "Of course," with a careless gesture, "he is a man we would not trust at all—utterly unreliable." I said, "He is a sneak as well," and he said, "Oh, yes;" I said, "You would not trust him with a secret, would you?" and he laughed and said, "We would not trust him with anything." I said, "Where was C. A. Henrie during the time of the Coffeyville explosion?" He said, "We do not any of us know; they don't know down to the house—even his wife does not know." "Well," I said, "I believe that this man Henrie knows something about this Coffeyville dynamite explosion, and I think you know a good deal about it too, Mr. Hutchins." He looked rather sober and said, "You do not believe that I know anything about it, do you, Mrs. Lease?" I said, "I most certainly think that you, Booth and Greer were the chief conspirators in that affair, and that you used this man Poorman as your tool." He looked up quickly and said, "You are mistaken about that; it was not Poorman at all—it was C. A. Henrie." "You see," he says, "the way

it was, Poorman came up to headquarters and Henrie met him in the hall and scared the poor devil almost to death. Henrie came to me and said there was no use of talking, the fellow was scared abjectly; that is, he was scared so badly that he begged for money to get out of the state, and we got him out of the state." I waited for a moment to see if Mr. Hutchins had any further disclosures to make, and finally I said to him, "Then this man Henrie, no doubt, deposited the box of dynamite with Mr. Upham?" "Oh, no; you are mistaken; there was no dynamite placed there at all." I said, "What was it, then?" "It was photographic chemicals," he said, "used for the purpose of photography, that exploded." I said, "If that be so, how did it happen the doctor extracted gun-cotton and saw-dust from the wounds of those who were injured at that explosion? I did not know there was any gun-cotton or saw-dust found about the premises." I said, "If I am not mistaken, I read an account of that." I waited a moment and finally I said, "While I had always supposed that this man Poorman was the guilty party, that the anarchist and would-be murderer is in the employ of Governor Humphrey at your solicitation." He said, "You do not for a moment think that I am a murderer?" I said, "Indirectly, yes; but it was not your fault that the dynamite exploded prematurely." He started to say something, and I became a little intense in my utterances, I said, "There is just this about it, Mr. Hutchins, you have admitted that C. A. Henrie was an anarchist and a spy, and thoroughly unreliable, a man that you cannot trust in any way, and yet he holds an important position at the expense of the tax-payers of this state; I can infer nothing else except that." I said, "How do you account for that, Mr. Hutchins?" Mr. Hutchins looked, may I say, thoroughly sheepish, perhaps disconcerted would be a better word, and he said, "He understands the duties of the position thoroughly; he is splendid in figures." I said, "I suppose that no one else could fill the position except this would-be murderer." He said, "I am sorry that you have such a bad opinion—I am sorry that you have such a bad opinion of us;" and then he got up and left the room.

By Mr. Curtis: Q. Did you read in any paper that gun-cotton had been extracted from the wounds of the injured parties? A. I would not say positively, but I am under the impression at the time I had.

Q. You do not know, Mrs. Lease, that gun-cotton is used by all photographers? A. I know nothing about photography, unfortunately.

Q. Do you know anything about the dangerous qualities of gun-cotton, that it is a very dangerous element? A. I do not know; I may have read something of it.

Q. You say that you are under the impression that you had read that there was gun-cotton or sawdust found in the wounds? A. Yes, sir; or scattered around the premises.

Q. At that time did Mr. Hutchins say to you that it was Mr. Henrie that had prepared the material for the second expose? A. No, sir.

Q. Did he say to you who prepared the material for the first expose, or obtained the secret works of the Videttes? A. He did not.

Q. At that time did you know of the organization known as the Videttes? A. I think I ought to know something about it, perhaps; I was one of the earlier members.

Q. Then, when you said to him, there was nothing in it, you knew there was something in it, because you knew there was such an organization? A. I had no reference to that when I asked Mr. Hutchins if he did not know there was nothing in it; I had no reference to the fact that an organization of that kind existed. What I referred to was, that he knew, and others knew, that there was nothing anarchistic in the organization.

Q. You at that time had read the first expose, as published by Mr. Greer, had you not? A. Yes, sir, I had read it.

Q. The expose as published by him, so far as the secret works are concerned, was true, was it not? A. I rather think it was; I gave no particular attention to it.

Q. What was that organization? Was it a political organization, or not? A. Yes, sir; I should say it was political, based upon the principle that labor should be massed to protect itself against the encroachments of monopolies.

Q. What was the necessity of the oath, if it was simply political, or the obligation that a party would submit his or her body to the just vengeance of his or her comrades. A. The same necessity that necessitates having an oath in any organization.

Q. Did you at any time have any personal knowledge of the explosion at Coffeyville? A. No, sir.

Q. Between the first and second expose, were you at any meeting of the Videttes, or members of the Videttes, to discuss what steps should be taken in reference to it? A. No, sir; I was in the lecture field and was kept continually busy at that time.

Q. Did you know of any meeting being called? A. I did not.

Q. You read at that time the *Non-Conformist*, did you not? A. Just as I read other newspapers, glancing them over.

Q. Do you not know that it is a fact that the editors of the *Non-Conformist* denied the existence of any such order after the first expose and before the second? A. They denied, as we still deny, the existence of any anarchistic order.

Q. Did they not word that denial in a manner to lead the public to believe that there was no such order as the Videttes? A. I do not think they did, for some of the leading republicans of Sedgwick county, notably the chairman of the central committee, was a Vidette; I do not think they would deny it.

Q. Then this organization was not confined to any particular political party, was it? A. I never understood that it was; it was based on the principle of the Declaration of Independence; we were all firm believers in George Washington and Abraham Lincoln.

Q. You may state if in 1888, it was not an organization working within the bounds of the union labor party principally? A. I do not know that it was.

Q. Were not its members principally members of the union labor party? A. Well, I can only answer for my own town, where leading republicans belonged. I cannot say about other towns, for I never visited the assemblies anywhere else.

Q. Had you spoken at Clay Center upon your arrival there before you had this conversation with Mr. Hutchins that you have related? A. No, sir.

Q. Was it not Sunday night that you had the talk with Mr. Hutchins? A. Well, it might have been Sunday instead of Saturday night; it was previous to my speaking there.

Q. You had known Mr. Hutchins in Kingman county, had you not? A. Yes, sir.

Q. He ran a newspaper there did he not? A. Yes, sir.

Q. After you had left Kingman, when you would visit that city, would you not frequently visit Mr. Hutchins's newspaper office? A. I might have called; I have no particular recollection of it.

Q. When you would go there to make addresses, did you not call at his office? A. I might have.

Q. You say when you met him in Clay Center you did not recognize him? A. I did not; he came in rather abruptly; I left orders for the porter to make a fire in the grate in my room, as the evening was a little bit chilly, and when there was a rap at the door, I said "Come in," and instead of pausing at the door after opening it, he

advanced rather quickly towards the table to where I sat, and extended his hand; the entrance was rather abrupt.

Q. In what year? A. Last fall.

Q. 1890? A. Yes, sir.

Q. Was that before or after the election? A. It was before.

Q. You got a little excited during the conversation, did you not? A. I cannot say I did; I scarcely ever do; I got a little intense, perhaps.

Q. Did you get a little intense upon this occasion? A. I was earnest, as I generally am.

Q. Did Mr. Hutchins at that meeting tell you he had any knowledge or information of either having planned or delivered a box of dynamite or other explosive substance to the agent at Coffeyville? A. No, sir.

Q. Did he at that conversation tell you that Henrie was responsible for that explosion? A. No, sir; he did not say that he was responsible, neither did he deny that he had anything to do with it.

Q. Did he at any time tell you that the republican state central committee knew or had anything to do with the preparation of a box of dynamite or any other explosive substance? A. No, sir; the republican central committee was not spoken of, but he used the pronoun "we," and as he was secretary, I supposed he meant that committee.

Q. Did he at any time speak to you using the pronoun *we*, meaning himself or others, that he had prepared or caused to be prepared a box of dynamite or any other explosive substance, and caused it to be delivered? A. No, sir.

Q. Did you at any time prior to the election in 1888, read any confession or supposed confession of Mr. Poorman in reference to this matter? A. No, sir; I did not.

Q. Had you made any personal investigation of the affair? A. Not any more than to talk the matter over with others.

Q. After having talked and had this conversation with Mr. Hutchins, you spoke in Clay Center? A. Yes, sir.

Q. Did you upon that occasion say anything about dynamite or the dynamite explosion at Coffeyville? A. I do not think I mentioned it at all upon that occasion.

Q. From whom did you get the most of your information about the explosion at Coffeyville? A. I think I got the principal part of it from Mr. Hutchins, secretary of the state central committee.

Q. Prior to that time, from whom did you obtain your information? A. In a general way; not from any particular one.

Q. Did you not talk to the Vincent brothers, or some one of them about the matter? A. I do not think that we ever had any conversation upon the subject.

Q. Had they not told you that they had prepared a box of dynamite and caused it to be delivered to the agent at Coffeyville, to be sent to a relative of theirs, a Mrs. Bouden, at Winfield? A. No, sir; they never told me anything of the kind.

Q. Is it not a fact that the Videttes were considerably worked up over the expose that was published by Mr. Greer? A. You may judge from the reports that C. A. Henrie brought back to Mr. Hutchins that they were; I do not know; I never attended an assembly since.

Q. Have you not attended them since? A. No, sir.

Q. Mr. Hutchins told you about the arrangement to have this expose published in various republican journals over the state, did he not? A. He said he had it prepared in the state printing office here.

Q. And to have it published simultaneously over the State? A. So he said.

Q. Are you quite sure that you ever sent to Mr. Hutchins the marked copy of the book or pamphlet of the life of Mr. Parsons containing the reference to Mr. Henrie? A. Yes, sir; at least I wrapped it up, and put what I supposed to be the necessary amount of postage upon it.

Q. How long after this conversation was it that you did this? A. The first time I returned home, I think it might have been a week, or two weeks, somewhere in the margin of two weeks, for I scarcely ever remain from home more than that time.

Q. Did he, in that conversation, tell you that C. A. Henrie had deposited the box of dynamite or other explosive substance at the express office in Coffeyville? A. No, sir.

Q. When was it that he told you that Poorman was scared by Henrie? A. During the conversation that I have repeated.

Q. I mean what time did he refer to as being the time that Poorman was scared or frightened? A. After the expose.

Q. Which expose, the first or second? A. The second.

Q. Now, simply to refresh your memory, did he not say it was after the first expose, and that Mr. Poorman was not here when the second expose was published? You remember the first expose was published the 1st of October, 1888, and the last upon the 18th day of October, 1888? A. I do not remember the dates; I know we had talked over the first expose, and in speaking of the second expose, we spoke of Poorman being so badly frightened.

Q. That is the reason that you thought it was after the first expose? A. Because we had not spoken of the first expose, and was discussing the second only when he mentioned that Poorman was frightened.

Q. Did he tell you where it was Mr. Henrie had met Mr. Poorman? A. He said in the hall; I do not know what building; I suppose it was in headquarters, as he mentioned it several times during the conversation.

Q. I will ask you to state if at any meeting you ever said, or said in substance, that B. S. Hutchins was guilty, and ought to be behind prison bars, and working for the state at Leavenworth? A. I think I did; I am still of that opinion.

Q. Did you have any facts upon which to base that opinion, save and except the talk you had with him at the hotel in Clay Center? A. That was the basic foundation.

Q. Did you at any time say that Bion S. Hutchins was the one who had concocted or instigated the explosion at Coffeyville in 1888? A. I do not think I mentioned him individually, except with others; I mentioned Booth, Hutchins and Governor Humphrey.

Q. Did you not know at that time, and had not Mr. Hutchins told you he had nothing to do with the matter? A. Yes, sir; but his confession at the same time contradicted that.

Q. Did you at that time state that Bion S. Hutchins was morally responsible for that affair? A. I do not remember of ever using the adjective morally, in connection with Mr. Hutchins.

Q. Did you say he was responsible for it? A. Yes, sir.

Q. Did you have any proof or facts to substantiate that statement save and except the one you claimed from the conversation with him? A. That was the basic reason.

Q. Did you not at the same time say that if there was ever an investigation that Mr. Hutchins would not face it; that he would go to Canada? A. I might have said that.

Q. You did not mean it? A. Yes, sir; I generally mean what I say.

Q. You sometimes say what you don't mean in a discussion, do you not? A. I am generally pretty earnest.

Q. Did you at that time say that the party who deposited the bomb or box was known? A. No, sir.

Q. Was he then known to you? A. No, sir.

Q. Have you now any knowledge, or do you now know who deposited or delivered the box to the agent, Mr. Upham, of your personal knowledge? A. Not personally; no, sir.

Q. Did you use this language in that speech at Clay Center, "that the party who deposited the bomb at Coffeyville at the instigation of the republican state central committee was known; that his name was C. A. Henrie; that he occupied a position in one of the departments of the state house; that he held that position because he knew so much about the Coffeyville outrage, which was damaging to the republican managers—meaning Booth and Hutchins—which he would divulge when he was discharged, and that Governor Humphrey had thereby become a partner to the outrage if he did not really help plan it"? A. No, sir; those are not my words.

Q. Is not that the substance of what you said? A. There is some of it, but it is nearly all wrong.

Q. Did you in that speech say that C. A. Henrie was the party who deposited the bomb or box of explosive matter at the express office in Coffeyville? A. No, sir; I said the real anarchist, C. A. Henrie, held an important position at the solicitation of Booth, Hutchins, and Greer, appointed by Governor Humphrey, because of his knowledge of the conspiracy and the murderous Coffeyville dynamite outrage. I called upon the audience to bear witness to what I said.

Q. Was there any criminal libel in the statement even if it was not true? A. I would hate to have that accusation made against me.

Q. Did you at any time publish your speech, in writing, over your signature? A. I never did.

Q. Did you not know, Mrs. Lease, that unless you published what you said either in writing, or caused it to be printed and published, that you would be guilty of no offense, although your statements were false? A. No, sir; I did not know that, because my speech was in writing, and that accusation was in writing and published all over the country. I think you could make a libel suit out of it.

Q. You didn't cause it to be published did you? A. The simple fact that I gave utterance would be sufficient; that speech was published, I suppose.

Q. The question is, did you cause it to be published? A. Not that particular speech in full; that part of it I think has been published time and time again; at least I have handed it in to my paper to be published.

Q. Where is your paper? A. My paper is in Colorado at the present time.

Q. Where was it when you handed this matter in for publication? A. I have never handed anything in; others attended to that for me.

Q. Was it attended to, published, and circulated at your solicitation? A. No, sir; not at my solicitation.

Q. Did you circulate it in written matter signed by yourself? A. No, I never did.

Q. Just an oral statement? A. Yes, sir.

Q. The statements you made were based wholly on what you ascertained from Mr. Hutchins? A. That was the basic foundation; yes, sir.

Q. What you stated were simply your conclusions, were they not, Mrs. Lease? A. My conclusions? What do you mean?

Q. Your conclusions from what Mr. Hutchins had said to you, notwithstanding he denied he had anything to do with the explosion. A. My remarks in public were based first upon Mr. Hutchins's own confession.

Q. Were your conclusions drawn from what he said to you at the particular time he told you he knew, and had nothing to do with the explosion at Coffeyville? A. That was what they were based upon, his confession; yes, sir.

Q. At that time? A. Yes, sir.

Q. Is it not a fact, Mrs. Lease, that you made these same charges before you had any talk with Mr. Hutchins? A. I spoke about the anarchist being employed by Governor Humphrey. I never mentioned Booth, Greer or Hutchins as being the prime conspirators in the case until after his admission of the facts.

Q. Do you know whether or not Mr. Greer recommended the appointment of Mr. Henrie? A. Nothing except from what Mr. Hutchins said; he said "We obtained that appointment for him."

Q. Did he mention the name of Mr. Greer? A. No, sir; he had been speaking of Mr. Greer, and I supposed he was included in it.

Q. You do not know whether he recommended the appointment of Mr. Henrie or not? A. Mr. Greer?

Q. Yes, sir. A. No, sir.

Q. Then your reference to Mr. Greer was simply supposition? A. Taking into consideration the circumstantial evidence that he was connected with the Vidette expose, I naturally connected him with the explosion.

Q. That is your opinion also? A. Yes, sir; drawn from his confession.

Q. Yet he told you at the same time that he had nothing to do with it? A. That was contradicted, though.

By Senator Kimball: Q. Do you remember of delivering an address at Independence during the last campaign? A. Yes, sir.

Q. Was it before or after this occasion to which you have referred when you spoke at Clay Center? A. It was after.

Q. Do you remember in the address that you delivered there, then to have used substantially this language: "Governor Humphrey knows more than he cares to tell about the Coffeyville dynamite outrage, and I say here in the presence of this audience, and call upon you every one to witness it; I say to you that when Governor Humphrey, C. A. Henrie, Mr. Booth and Mr. Roberts receive their just dues, they will stand convicted criminals behind the prison bars; now, do you know what I have done? I have laid myself liable to punishment by imprisonment in the penitentiary if I cannot prove it, and I dare them to bring an action against me; they are cowards, that is what they are"? A. I think I used substantially that language, with the exception of the name of Roberts; I know nothing about that; I think it was Hutchins instead of Roberts.

Q. Now, what proof did you have at the time that you made that statement, Mrs. Lease? A. I had the conversation that I have just detailed. Mr. Hutchins admitted that Henrie was — all that I have stated here — and yet he held that position.

Q. You based these statements, then, upon the conversation which you have detailed which you have had with Mr. Hutchins? A. That was the basic foundation of my remarks — yes, sir.

The witness was excused from further attendance upon the Committee; also Mr. Brown, of Kingman, and Mr. Archer.

HENRY VINCENT, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Judge Webb: Q. Mr. Vincent, just state to the committee your name, residence, and business. A. Henry Vincent, Winfield, Kansas; am editor on the *Non-Conformist*.

Q. Who, if anyone, are you associated with in the publishing of that paper? A. With L. Vincent, my brother.

Q. How long have you been engaged at Winfield? A. Four years last October.

Q. During the time you have been publishing the *Non-Conformist* where has your office been situated? A. The first year and one-half it was situated in the Jennings building, on Main street; from June, 1888, to April, 1889, it was in the Hackney building; from that time to the present it occupies the *Telegram* building.

Q. I will ask you to state whether you are now or have heretofore been a member of this order known as the National Order of Videttes? A. I was at one time.

Q. At what time? A. I think it was in the spring of 1887 that I first belonged, and was at the time of the election in 1888; I have not considered myself a member since that, for the reason that we have had no organization.

Q. At the time of its happening, or very soon thereafter, did you read the expose of that order as published in the *Winfield Courier*? A. I glanced over it; yes, sir.

Q. Was the subject of the order, its members, and the representations concerning both a matter of newspaper discussion between the editor of your paper and the *Courier*? A. Not until after that time.

Q. After the explosion, which has been mentioned here, at Coffeyville, was it a matter of newspaper importance, in the discussion of which, your paper participated? A. Very decidedly.

Q. I will ask you whether you made any efforts for the purpose of being advised as to the persons connected with, and responsible for that explosion? A. Yes, sir.

Q. Briefly state just what you did. A. I cannot detail what steps were taken until along in January; I think through some correspondence with a friend in Ohotopa, we were informed that Mr. Highleyman had made an effort to have the county attorney to have a prosecution brought, and had failed, and abandoned the search. We immediately struck up a correspondence, and from information he gave us we guaranteed the expenses incident to laying the case before the proper authorities, and still push the investigation. Mr. Highleyman, at our request, came to Winfield, where, in company with myself and my brother and Judge Miller, we spent an evening with Cal. Swartz, the county attorney of Cowley county. At that time—it was the result of that interview that Mr. Swartz had no jurisdiction in the case; that operations would have to be begun in Montgomery county, from the fact that the explosion had taken place there. At the earliest opportunity following that, when Mr. Highleyman's duties would permit it and my own, we arranged a meeting, and visited Mr. Ergenbright, the county attorney, at Independence. I think court was in session, and we had to wait some hours until he was at liberty, and when he did come, Mr. Highleyman stated and reviewed all the efforts he had made, and how disgusted he had become in his efforts, but that he still believed that if the procedure was carried forward it would accomplish the desired result. I do not recall whether I had the complaint drawn up at that time, but think it was the original complaint that I had drawn up and sworn to in Cowley county, and submitted that as a basis. The question was raised as to why we made the complaint before the justice of the peace instead of the county attorney? That question had been raised in Cowley county. Mr. Ergenbright for the first time informed us that this was the first notice he had; that a change in the law had been made, making it obligatory upon the complainants to appear before the county attorney to make their complaint before the prosecution could be instituted, and upon that excuse Mr. Ergenbright asked for more time and promised to give us another hearing after he had looked the law up, and canvassed the matter from a legal standpoint, and we left him. It was but a few moments; we did not, I presume, stay—fifteen or twenty minutes would cover the time that we were in conversation.

I was still in correspondence with Mr. Highleyman, and this interview did not strengthen his purpose at all; I had to do considerable urging to get Mr. Highleyman to consent to still be a party to it. The nature of my business was such that I could go away only on Friday and Saturday in the week, and by correspondence we arranged another meeting, when we should both go to Independence. I was on hand, and was looking for Mr. Highleyman, but he did not come. A telegram was received stating that he had been called to the territory to look after some Indian affairs that were of such importance that he could not leave them. In company with Mr. Wiley I went to Mr. Ergenbright's office and inquired what decision he had arrived at. He seemed very reluctant to talk upon that line, but volunteered his own theory as to the explosion. He did not appear to attach much importance to the idea that it was a bomb, but expressed, as his own opinion, if the facts came out it would be developed that it was a spontaneous combustion of photographic chemicals, and not what it had been represented otherwise. He said he was in a hurry to go to the train—which left for Coffeyville at 6:30, I believe—as he had an engagement to fill, and could not tarry at that time to talk further. I expressed regret that Mr. Highleyman was not present, and assured him I would try and meet him again. I do not recall whether Mr. Highleyman was with me the next time I was in Independence or not: it runs in my mind he was, but that Mr. Ergenbright was out of town. I have a distinct recollection of visiting Independence four times; the last time, by agreement with Mr. Ergenbright, I was in the city, but owing to the train from Coffeyville north being two hours late, I did not arrive until late in the afternoon, and when I went to his office he was not there. Upon my return home Sunday morning I found a letter from Mr. Ergenbright, in which he was peremptory in his demands that we at once proceed and produce what evidence we had; that he was ready and anxious to go ahead with it; that he had to do something in the matter. I think the letter which I referred to came through Mr. Highleyman; the letter was addressed to Mr. Highleyman; he wrote across the bottom his reply, and forwarded it to me at Winfield; I think that was the way.

Q. What was the date of that letter? A. I do not recall; I think the letters are already in evidence, and can be described any time. During this same time, in the *Non-Conformist* we were publishing a series of articles outlining the plot, step by step, drawing up to a conviction from the standpoint to which we were working, and I distinctly remember that we had carried the controversy about as far as we could before decisive action was taken between the officers of Montgomery county and ourselves. I had been to Independence twice, and was very anxious that a decision should be arrived at, and had held the articles in the paper a couple of weeks pending this, and the next article that came out would in its nature bring out and develop the principal facts in the case upon which we based our demands for prosecution. I had been to Independence Saturday evening, and I failed of an interview. I think I went down to Chetopa and saw Mr. Highleyman, and our decision was there was no use parleying in the case further; just come right out with the facts and let it go for what it was worth and take the consequences. In accordance with that, the next week I gave the principal facts which the detective, Mr. Highleyman, had been working upon, that was published in the issue of our paper on the 20th of June.

Q. I want you to state whether your paper circulated in Montgomery county, and particularly at the city of Independence? A. It did very largely.

Q. I want to call your attention to the letter which is in evidence, dated June 19th, and the envelope in which it was received, postmarked at the Independence office on the 22d, and ask you now to state whether the respective dates coincide? The letter dated what day? A. The letter was dated the 19th of June, 1889.

Q. The publication of your paper, containing the evidence upon which you rely, was dated the 20th? A. Yes, sir.

Q. The postmark upon the envelope containing that letter was dated the 22d? A. That is correct; the letter was addressed to Mr. Highleyman, and immediately upon its receipt it was in a letter and forwarded direct to me, and I got it on Sunday morning.

Q. I want to turn your attention to the 9th day of October, 1888, and ask you whether upon that day you saw C. A. Henrie? A. I did.

Q. Had you been acquainted with him before? A. Yes, sir.

Q. And how long before? A. Possibly a year and a half.

Q. Where upon the 9th did you see him first? A. In our office.

Q. Do you remember who, beside yourself and Mr. Henrie, were in the office at the time? A. Professor was there when he came in, Mr. Moore came in soon after, and I think my brother Leo and his wife came in.

Q. About how long did Mr. Henrie remain at your office then? A. A half an hour, I presume.

Q. Did he, to your knowledge, return to the office the second time that day? A. No, sir; I understood he returned, but I was not present.

Q. Did you have any conversation with him while there? A. Yes, sir.

Q. Did you hear any conversation between him and others who were there? A. They were conversing together.

Q. I wish you would state in their order the conversations which occurred there, Mr. Vincent. A. After the greetings of the day, we turned our conversation to the Vidette expose that had appeared a few days previous in the *Courier*, and also, I think, went over the events of the evening before, incident to the joint discussion; we had not been talking long until Mr. Henrie suddenly spoke up and says: "What is the matter that we did not get a report of the Wichita meeting?" By "we," he meant the Videttes of Topeka. My reply, or our reply to which was "that they had not been printed." It was only a few moments until he produced a half-pint flask, and asked us if we wanted to take a little tip all around; speaking for myself, I declined, and I think the others did; he returned the flask to his pocket, and I don't know whether he drank any or not. He went on conversing, and somebody came in; we stepped out on the back steps, myself and Leo; in that conversation he said while at the depot he saw a man on the train whom he suspicioned at once as Poorman, from the fact that he saw him around headquarters in conversation with republican leaders, as well as on the fair ground a few days before; and knowing that the expose had been published at Winfield, he just suspicioned that he was the fellow, and followed him up, and just on the spur of the moment he jumped on the train and came along with him; that Poorman came as far as Newton, and that he had lost him in the dining-room of the depot hotel, or in that neighborhood. As he had gotten as far as Newton, he thought he would come down and see us, and see how things were. I do not know what the occasion for it was, but he produced his pocket-book; I remember he had quite a roll of bills. I remember my brother and myself spoke about it afterwards, that it was something new for Henrie to have so much money; and had two or three railroad passes, and seemed well equipped for traveling. His purported mission was to try to assist us in tracking up Poorman so that there should not be any further developments in the Vidette business, so that we could anticipate what more was coming. He said he had stopped at the Bobbitt house and registered as J. O. Brown, of Kansas City; he wanted to throw them off his track, concealing his movements as much as possible.

Q. Just go ahead and state the conversation that took place there so far as you know about it. A. That is it in substance.

Q. He then left your office, or did you go and leave him? A. I think my duties called me into the press-room.

Q. Did you afterward see him about the office? A. No, sir.

Q. Did you see him again that day? A. I did.

Q. As nearly as you can remember, what time in the day, and what place? A. I remember of going down to the depot, I think to mail a letter; it was our custom when we were in a hurry to get a letter off, and it was too late to get it in the post-office, to go down to the train with it, or send a boy; I think that was what called me down there; the train was a little late, and I left the letter with the baggage-man or the 'bus boy and started back just as the train was coming in. I had proceeded about to the first crossing, perhaps one hundred and fifty feet from the depot, when I met Mr. Henrie and Mr. Moore hurrying toward the train; I wanted to stop and pass the time of day with him, and say good-bye, and ask him what was up, and what was the next programme, or have some talk with him, but Mr. Moore gave me a nudge and says, "Step in here; Henrie don't want to be seen with us." I do not recall whether we stepped in behind the granaries that were there, or turned around and went back up town; I think we turned and went up town.

Q. You did not upon that occasion see Mr. Greer at the depot? A. No, sir.

By Mr. Curtis: Q. Who went back up town with you, Mr. Vincent? A. Mr. Moore.

Q. Did you stand there and have any talk or conversation? A. I do not think we did.

Q. You say you wanted to have a talk with Mr. Henrie as to what was to come next? A. Something of that nature, I had a conversation with him in the morning, and not having been to the office during the afternoon, and seeing him with Mr. Moore supposed they had been talking matters over and would have something further to say.

Q. You expected him to make some kind of a report, did you not, of what he had learned over at Mr. Greer's? A. I think I rather looked for something of that kind — yes, sir.

Q. Did you not know that he was going over to Mr. Greer's to find out what would be next published? A. I think he represented that he was going up on some such mission.

Q. You didn't talk with him afterward, did you? A. No, sir.

Q. You were kind of anxious to find out what was coming next? A. Yes, sir; I was a newspaper man, and liked to anticipate what was coming.

Q. And as a member of the Videttes? A. Partially so; I was not particularly concerned in regard to the matter.

Q. You had quite a talk with him, did you not, about his wanting to help you ferret out who was giving away this matter? A. I do not recollect the substance of that conversation; he represented himself to be upon that mission, and the conversation would naturally partake of that character.

Q. Did Moore decline to drink? A. I do not know; I rather think he did not.

Q. You think Moore took a drink? A. I think he did; I think he told me he did.

Q. Who was it with you on the back stairs, Mr. Vincent? A. It was my brother Leo; I remember from the fact that he had his hand in a sling, and was holding it there.

Q. Was Mr. Henrie there? A. Yes, sir.

Q. How long had you known Mr. Henrie prior to October 9th, 1888? A. I think the previous winter.

Q. You knew his name well, did you not? A. Yes, sir, as being connected with the Knights of Labor.

Q. You knew Mr. Henrie quite well, did you not? A. I cannot say that I did.

Q. If you did not know him quite well, why were you surprised at his having money? A. I was not intimately acquainted with him, but my brothers had met him a time or two in the State assembly meeting of the Knights of Labor; I had met him during the two days' conference in Topeka the winter before, and I am somewhat of a judge of human nature, and had been in his office and seen the condition of things, and being a printer myself I was pretty well satisfied that he was not a man of very great acquisitiveness.

Q. How long had you known Mr. Poorman, prior to October 9, 1888? A. I think it was in May previous.

Q. Was Poorman any relation to you by marriage? A. My wife and his wife are cousins, as I understand it.

Committee adjourned to meet at 2 o'clock P. M.

FRIDAY, March 6, 1891—2 o'clock P. M.

The committee convened pursuant to adjournment; a quorum present.

MR. HENRY VINCENT was recalled, and further testified as follows:

Examined by Mr. Curtis: Q. Mr. Vincent what were the relations existing between yourself and Mr. Greer during the fall of 1888, prior to the publication of the first expose? A. They had always been such as commonly exist between friends; we had been neighborly, so far as I know.

Q. You had been friends? A. So far as I know.

Q. Had you not work done at his office? A. Yes, off and on.

Q. Did you ever visit Mr. Elliott, county attorney of Montgomery county? A. I have.

Q. At the time you called upon Mr. Ergenbright did you then have a complaint with you, and if you had one did you present it to him? A. I am quite sure I had in my pocket with me the complaint that was prepared in Cowley county, and after the conversation with him I am not sure whether it was presented or not.

Q. Then you will not say to this Committee that you presented him a complaint that you had prepared? A. I would not.

Q. Did Mr. Ergenbright refuse to prosecute at any time? A. He did not refuse, nor consent.

Q. At that visit did you present to Mr. Ergenbright, the county attorney of Montgomery county, the evidence which you had in your possession? A. Not fully, for the reason that the question of law had been raised that had been referred to, and until that was settled we could not go any further.

Q. Did Mr. Ergenbright raise any questions as to the law? A. He gave us clearly to understand that he was not familiar with the recent act of the legislature.

Q. That is, the law that had been passed by the last legislature changing the manner in which a complaint should be made? A. Yes, sir; that is my understanding.

Q. That is the only law that he was not familiar with, was it not? A. That is the only one he mentioned.

Q. Did you at that time have in your possession any written confession of Mr. Poorman, or any purported confession of Mr. Poorman, or any evidence that he had confessed? A. No, sir.

Q. At the time you went to the office with Mr. Wiley, you say that you expected to meet the detective, Mr. Highleyman, there? A. Yes, sir.

Q. Mr. Highleyman did not appear, did he? A. No, sir.

Q. At that time did you produce your proof to the county attorney, Mr. Ergenbright? A. I did not.

Q. Is it not a fact that at that time he asked you for your proof, and you told him you would rather not lay your case before him until the detective was with you? A. I presume I did.

Q. Didn't he at that time tell you that if you presented to him sufficient proof to convict either of the parties whom you suspected, that he was ready and willing to prosecute them? A. He made several statements of that kind. I relied more upon the letters that he had written, and the conditions indicated therein.

Q. At the third visit did you meet the county attorney, Mr. Ergenbright? A. I cannot remember that I did; I do not think I met him but twice.

Q. Was the detective with you there at that time? A. It is running in my mind that he was; I am quite sure he was with me upon two occasions.

Q. The last time you were there, I understand you to say, was upon the day you had agreed to meet the county attorney? A. That is my understanding.

Q. Was the detective with you at that time? I mean by detective, Mr. Highleyman. A. I do not think he was there the fourth time.

Q. That was the last visit, was it not, upon your part, to Mr. Ergenbright? A. Yes, sir.

Q. What did you say the date of the letter from the county attorney to you was? A. The letter was dated June the 19th.

Q. Now, through whom did you receive that letter? A. From Mr. Highleyman.

Q. That was written, or purported to have been written by Mr. Ergenbright, county attorney, to Mr. Highleyman, at Chetopa? A. Yes, sir.

Q. And was not sent direct to you? A. No, sir.

Q. I will ask you to state if it is not a fact that in that Mr. Ergenbright demanded of you, and also of Mr. Highleyman, your proof in reference to the explosion at Coffeyville? A. I think he did.

Q. Did you furnish him the proof at any time? A. No, sir; not after that.

Q. At the last visit you made to Independence to see the county attorney I understood you to say you did not find him at his office. Now how long did you stay in Independence? A. It being Saturday, I was upon the principal corners there the most of the afternoon after I arrived; I think it was four or five o'clock in the afternoon, and in the evening it was my custom while not engaged at the court house to be among friends on the street.

Q. How late was the train on that occasion, if you remember? A. I think the regular time for it to leave Coffeyville north, was about eleven o'clock; I would not be sure, it was eleven or three; it was, as my mind tells me about two hours late.

Q. Upon that occasion did you visit the house of Mr. Ergenbright? A. No, sir.

Q. Why didn't you? A. It is my understanding that his residence was in Coffeyville; I do not know how I got that impression, but it runs in my mind yet that he resided in Coffeyville and had his office in Independence.

Q. Did you go to his office that day more than once? A. I do not remember that I did.

Q. You know Mr. Conner, of your county, do you not? A. Yes, sir.

Q. What position did he hold in 1888? A. Sheriff.

Q. Elected upon what ticket? A. Union labor ticket, indorsed by the democrats.

Q. Then he was what our friend Hackney would term, of your crowd? A. Yes, sir; I suppose he was.

Q. I will ask you to state if it is not a fact that during the month of November or December Mr. Conner told you that, if you got enough evidence to convict, the

county attorney of Cowley county would file a complaint? A. I do not remember such conversation.

Q. Did he not tell you that the county attorney of Montgomery county would file a complaint, if you had sufficient evidence to convict, and have warrants issued; that he had talked with the county attorney of Cowley county, and that Swartz of Cowley county had talked with the county attorney of Montgomery county, and that they were ready to prosecute at any time you had sufficient evidence to convict? A. The conversation that I had with Mr. Conner was not during the month you mentioned. I do not remember of Mr. Conner saying anything of that nature until after he had learned that I had appeared before a justice of the peace and filed an information, and a day or two after he took occasion to tell me that I need have no fear about Swartz. I thanked him for the information, and proceeded to secure an interview with Mr. Swartz.

Q. Did he not at the same time tell you that Swartz had been in consultation with the county attorney of Montgomery county, and that he was ready and willing to prosecute? A. I have no recollection of that being mentioned.

Q. Will you tell this committee that it did not occur? A. I will tell this committee that if it had occurred I would have remembered it, I am sure I would.

Q. Did the county attorney of Montgomery county, Mr. Ergenbright, refuse at any time to file a complaint or prosecute these parties if you would furnish to him your evidence? A. No, sir.

Q. Were you a member of the Videttes in October, 1888? A. Yes, sir.

Q. I will ask you to state if you didn't procure the preparation of the box of dynamite or other explosive substance that exploded at Coffeyville on the 18th day of October, 1888, and have it placed in the express office at Coffeyville for transportation to a Mrs. Bouden, a relative of yours by marriage, at Winfield, Kansas, your intention being to use such explosive to blow up the *Courier* office, and prevent the publication of the second and convicting expose of the National Order of Videttes, and your connection therewith; which expose you knew was being prepared in that office for publication? A. No, sir.

Q. From whom did you first learn of the explosion? A. From Thomas Cavanaugh, a railroad conductor.

Q. When? A. A few moments after the arrival of the Missouri Pacific train, Thursday morning, the 18th.

Q. What time in the morning? A. Well, about half-past ten—a few moments after ten.

Q. Did you know Mr. McRoberts? A. I did.

Q. What position did he occupy in your county in 1888? A. I think he was turnkey of the jail.

Q. Was he not also deputy sheriff, or connected with the sheriff's office? A. My understanding is that he was connected with that office and turnkey also.

Q. Was he captain of the Winfield camp of Videttes at that time? A. I think so.

Q. Did he not inform you upon the 9th day of October, 1888, of the telegram he had received regarding the explosion at Coffeyville? A. He did not; he informed me the next day on the quiet; he said, "It is not known that we got a telegram that it had occurred."

Q. The sheriff and those connected with his office were at that time your friends, were they not? A. Not all of them.

Q. Was Mr. McRoberts? A. Yes, sir.

Q. Was Mr. Conner? A. I understood him so.

Q. Who else did he have connected with his office there? A. I think he had a Mr. Norton.

Q. Was Mr. Conner's son also connected with the office? A. Yes, sir; we were not intimate so far as the boys were concerned.

Q. Is it not a fact, Mr. Vincent, that the officers of your county and the officers of Montgomery county did all they could to assist in trying to find out who the parties were that left the box at Coffeyville? A. So far as Mr. Conner is concerned, I think he did; he informed us that he could get no cooperation in anything that he attempted to do.

Q. At any time have you had in your possession or did you know of a confession of Mr. Poorman? A. No, sir.

Q. At any time did you have any direct proof that Mr. Poorman or Mr. Henrie were connected in any way with the explosion at Coffeyville? A. I don't know as I can answer that yes, or no. I had proof, which, if it had been followed up with the proper procedure, would have, in my judgment, produced the direct evidence.

Mr. Curtis objected to this answer and asked that the witness be required to answer the question yes, or no.

The Committee decided that the witness should make a direct answer to the question.

A. I had evidence sufficient to warrant me in swearing out an information, which I did.

Mr. Curtis again objected to this answer, and requested that the witness be required to answer the question yes, or no.

The Committee overruled the objection, and decided the answer to be sufficient.

Senator Kimball said that in his opinion the answer was clearly an evasion, and not responsive to the question, in which view Mr. Bischoff concurred; Mr. Carey, Mr. Senn and Mr. Crumley were against the objection. Senators Mohler and Carroll were not present.

Q. Did you have any associate in this matter, and who furnished what information you relied upon? A. Mr. I. D. Highleyman.

Q. Did you have any information from Mr. Highleyman, or from any other person, at the time you filed, or offered to file this information, that Mr. Poorman had made a confession? A. No, sir.

Q. Is it not a fact that you relied upon the supposition that Mr. Poorman would confess if arrested? A. I relied upon that in particular, and upon the facts as known to myself, and the connections therewith.

Q. Did you at any time have any proof that Mr. Poorman was an agent to the purchase and delivery to Mr. Henrie of the box of dynamite, or other explosive substance, that was exploded at Coffeyville? A. I think not.

Q. Did you, at any time, have any direct proof that C. A. Henrie ever visited Mr. Poorman in Ohio? A. I considered that I had.

Q. Did you have any more than the letters that were introduced in evidence by Mr. Highleyman? A. I did not have these letters; I had Mr. Highleyman's extracts from them.

Q. Is that all you had? A. In that line it was.

Q. Did you ever have in your possession or under your control or within your reach any direct proof that E. P. Greer, Governor Humphrey, Henry Booth, or Bion S. Hutchins or either of them had any part or anything to do with the preparation or the delivery of the box of dynamite or other explosive substance that exploded at Coffeyville? A. If you will give it in piece-meal I will answer the question; it is kind of an omnibus bill; I would ask that it be divided up a little bit and I will answer it. I would state that I had evidence that C. A. Henrie was the direct agent of that explosion; and that his appointment, soon after the close of the legislature, was a reward for his connection with it. I had information that such appointment

had been made at the repeated demands of Messrs. Booth and Hutchins, and that it was in return for services that were rendered.

Q. From whom did you obtain this information? A. From several parties.

Q. Name them. A. I think several of the witnesses have already been introduced.

Q. I will ask you to name them. A. One was Mr. French.

Q. Who else? A. Mr. Wakefield and Mr. Highleyman, and the records of the legislature, and I think the facts which we had ascertained, myself and brother, in looking the case up at different places; I do not recall them all.

Q. I read the following extract from your paper, the *Non-Conformist*, of May, 1889:

"We hope that E. P. Greer, C. A. Henrie, Governor Humphrey, Bion S. Hutchins, and Henry Booth will understand that the people believe that they were the direct agents of the Coffeyville explosion, and are knowing to it in every particular, and that the *Non-Con.* knows that they are accessories to the damnable plot."

In that article, who is meant by "the *Non-Con.* knows"? A. It means that the editors of the paper, myself and brother.

Q. Which brother? A. Leo was my partner.

Q. At that time did you have any direct proof that either of the parties named were the direct agents, and were knowing to the explosion in every particular? A. Every scrap of evidence which had been produced pointed in that direction: we considered we had at the time we wrote that, yes sir.

Q. What proof did you have other than that which you learned by letters from Mr. Highleyman, the detective, and that which you have already given upon the stand? A. I think that was the burden of it.

Q. Did you ever visit the sheriff of Montgomery county? A. No, sir.

Q. Is it not a fact that the officers, the governor, and private citizens of Montgomery county offered a reward for the arrest and conviction of the parties who delivered the box to the agent at Coffeyville? A. I saw such reports. The sheriff informed us that he could get no coöperation with the officers in Montgomery county.

Q. Did he not tell you that he had been informed that the county attorney in Montgomery county was ready to prosecute? A. No, sir, he did not.

Q. Didn't you know that the governor of the state of Kansas, Lyman U. Humphrey, had written to the county attorney of Montgomery county, urging him to prosecute, and did all he could? A. I never learned that fact until I saw it published in Mr. Greer's paper of September 9th.

Q. You know it to be a fact? A. Yes sir. This announcement was made after we had given the bulk of our evidence to the public.

Q. Was not the letter directed by the attorney general to Mr. Elliott before you had made your investigation? A. My understanding was that the attorney general never answered Mr. Elliott.

Q. You heard him testify that, did you not? No, sir, that is not my understanding. My understanding was that he wrote to the attorney general, and received no reply.

Q. I will ask you if it is not a fact that the attorney general had written to Mr. Elliott during his term of office as county attorney of Montgomery county, in reference to the prosecution, in a letter which referred him to sections 42 and 27 of the crimes act, as being the sections under which this prosecution, or prosecutions, could be brought; and Mr. Elliott so testified upon the stand in this investigation, and that he further testified that he showed that letter to Judge Chandler, and that this all occurred, except the testimony of Mr. Elliott, before you published the result of

your investigation? A. It was not so made known to me. I never heard of it until right now.

Q. I will ask you to state if you do not know, as a matter of fact, that the county attorney of Montgomery county was ready and willing to prosecute at any time if you or any other person would furnish to them sufficient proof to justify in their minds a prosecution? A. No, sir.

Q. Did either of them refuse to prosecute upon the presentation of such evidence? A. They hesitated.

Q. Now, then, to whom and to which county attorney, and when did you ever produce the proof that you had? I mean to the county attorney of Montgomery county. A. I do not think we produced it all. I am sure we did not.

Q. I understand that the evidence you had and relied upon are the statements that I read to you in reference to Mr. Henrie, Governor Humphrey, and others, as has been testified to by you and Mr. French and others on the witness stand in this investigation. A. Not in full.

By Senator Kimball: Q. Have you stated, Mr. Vincent, in your testimony, all the evidence that you had or knew of, which was the foundation for the making of these charges that you have made, concerning Governor Humphrey, Mr. Booth, Mr. Hutchins and Mr. Henrie? A. Not in full.

Q. If you have not stated it in full, please go ahead and make any statements, in addition to those which you have already made in reference to the matter, so that the record may show all the evidence which you had or relied upon at the time you made these statements? A. We had learned of Mr. Henrie's treachery in the Vidette affair. We had traced him to Ohio. We had traced correspondence between Mr. Greer, Henrie, and Poorman. We had seen the legislature pass but one act amending the criminal code, which made it impossible for us to bring an action in the manner customary before that time. We had seen the extraordinary movement on the part of the legislature in making an appropriation bill in a manner different from any former procedure. We had seen Mr. Betton reinstated as commissioner of labor. From the information we had—with the distinct understanding that Mr. Henrie was to be his clerk; and that under no circumstances did they dare to refuse him a position. We had evidence to support all these points.

Q. Now take the first point that you had traced—Mr. Henrie's treachery in exposing the Videttes—what do you refer to? A. Selling out to the republican committee when he had always claimed to be an ultra labor man.

Q. And now what evidence did you have showing that he had gone to Ohio? A. I had a letter from Mr. Highleyman. Mr. Highleyman said, "The letter from Ohio says, under date of November 14th, Henrie has been here," meaning that he had been there prior to November 14th.

Q. That is, you had a letter from Mr. Highleyman, in which he copied from the letter which he had received from Drugan? A. Yes, sir.

Q. The statement made by Drugan that Henrie had been there? A. Yes, sir.

Q. Did you have any other evidence on that point? A. No, sir.

Q. Then there was the act you referred to that was passed by the legislature, providing that counties should not be responsible for costs unless the filing of the complaint was approved by the county attorney? A. Yes, sir, that is one. We had that from the secretary of state. Allow me to explain—it was that, coupled with the refusal of Mr. Elliott to admit a complaint on the plea that no crime had been committed, which convinced me that the officers were not sincere.

Q. What was this extraordinary movement on the part of the legislature in regard to the appropriation bill, which you considered some evidence implicating these parties? A. My understanding was that all other items of expenditure had

been duly itemized in relation to all the other departments of state, and they were not in this one.

Q. Which one? A. In the appropriation made for the labor commissioner's office, it was all lumped in under one head, not stating how much was for clerk hire or how much was for commissioner's salary, and the appropriation was increased to a certain amount; I forget how much.

Q. And in addition to these matters, you had information that Mr. Betton was appointed on the condition that he was to give Mr. Henrie a place in his department? A. We had information from another gentleman who, as I understand, had already received indorsements sufficient to place him there, but after it was learned from him that he would not appoint Henrie as clerk, all consideration of his candidacy was dropped.

Q. This other gentleman to whom you refer was an applicant for the position that Mr. Betton got, and he was disappointed in getting that position? A. He failed to get it for that reason, as he understood it.

Q. And after failing to get the position he informed you directly, or informed some one who did inform you, that the reason why he did not get the appointment was because he would not appoint Henrie? A. We learned it in that way, and then went in person to see this gentleman and learned the facts from him before we stated it.

Q. That is, you went to see the gentleman who told it, or the applicant himself? A. The applicant himself.

Q. And he told you that that was the reason, as he understood it, why he did not get the appointment? A. He said that he had been questioned as to whether he would appoint Henrie before the appointment was made.

Q. Who was that gentleman? A. David G. Jones, of Shawnee county.

Q. Did he say who told him that that was the reason? A. He could not think of the man's name who asked him that question. He related the circumstances fully, but could not recall the name of the individual.

Q. This makes up the sum total of the proof that existed at that time as you understand it? A. I would not want to say that it was, because I believe there was other.

Q. Are you able now to recall any other proof? A. No, sir.

By Mr. Curtis: Q. What information had you that letters had passed between Mr. Henrie, while he was in Ohio, and Mr. Greer? A. Mr. Highleyman's correspondent.

Q. That was the only information you had? A. Yes, sir.

Q. Did Mr. Jones say to you that Gov. Humphrey had told him that he could not have the position unless he would appoint Henrie? A. Mr. Jones did not give any names; he could not think of the name of the party who questioned him.

By Mr. Carey: Q. Do you think that the proof that you had was sufficient to warrant you in filing an information? A. I took the position that if half that amount of proof had been furnished against us, we would have been behind the bars two years ago.

Q. Then your answer to that question would be yes? A. Yes, sir.

Q. Then if upon that information proceeding had been begun, you could have furnished additional proof, could you not? A. Yes, sir.

By Mr. Curtis: This additional proof that you expected was the confession of Poorman? A. Not in the whole; no, sir.

Q. That is a part of it? A. That is part; yes, sir.

Q. Did you not publish in your paper that Mr. Jones had already received the

appointment of labor commissioner? A. I think we did, but it was a mistake, and we corrected it.

Q. You say you knew it was a mistake? A. Yes, sir.

By Judge Webb: Q. When did you first hear of that explosion? A. Thursday forenoon, between 10 and 11 o'clock, on the morning of the 19th, or immediately after the arrival of the Missouri Pacific train, is my understanding.

Q. On what day of the week did the explosion take place? A. On Wednesday, I think.

Q. It was the day after the explosion that you heard of it? A. Yes, sir.

Q. Are you not mistaken as to what day of the week the 18th was on?

Mr. Curtis admits that the witness was mistaken as to the day of the week the 18th of the month was on.

Q. Then in regard to the day of the week, you heard of it the day after the explosion occurred? A. Yes, sir.

CUTHBERT VINCENT, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

By Judge Webb: Q. Mr. Vincent, are you connected as either editor, proprietor or publisher of a paper at Winfield called the *Non-Conformist*? A. I am not.

Q. Have you at any time been? A. I have not.

Q. The proprietors of that paper, Messrs. H. and L. Vincent, are your brothers, are they not? A. They are.

Q. Do you know a gentleman by your surname who was mentioned by Mrs. Lease at Clay Center? State whether or not he is a relative of yours. A. He is not so far as I know.

Q. No connection with your business affairs? A. Not at all.

Q. Do you remember where you were, Mr. Vincent, upon the 6th and 8th days of October, 1888? A. I do.

Q. Just state, if you please? A. In Winfield.

Q. Reference has been made to a joint discussion between you and Mr. Henderson; state whether that discussion occurred upon the evening of these days. A. It occurred on the evening of the 5th and 8th.

Q. Were you then in anywise connected or associated with an organization denominated the National Order of Videttes? A. I was.

Q. At either of the meetings mentioned, was reference made to a remark concerning that order? A. At both meetings.

Q. I will ask you if you stated at either of these meetings anything in reference to the existence or your knowledge of such an order? A. I cannot answer that question directly.

Q. Was there anything said by you with reference to the organization? A. Yes, sir.

Q. Did you then deny that you had any knowledge of the existence of an order known as Videttes? A. I did not.

Q. What did you say with reference to it? A. I said I did not have any knowledge of the existence of any secret treasonable organization in the state of Kansas.

Q. Do you know Mr. C. A. Henrie? A. I do.

Q. How long have you known him? A. I think about four years. I am not sure when I first met him.

Q. Do you know whether he was at any time associated with the Videttes as a member of that order? A. I never met with him in his local council, but my information is that he was a full member.

Q. Have you and he at any time talked concerning the purposes and secrets of

the order? A. I do not think we ever did; we might have done so; I do not remember.

Q. Do you remember having seen him upon the 9th day of October, 1888? A. Yes, sir.

Q. At what place? A. At the office of the *Non-Conformist*.

Q. Did he have conversation there in which you participated, or which you heard?

A. I did not participate, and, being busy with my work, did not pay any attention to the conversation that was being held.

Q. Do you know about how long he was at the office of the *Non-Conformist*?

A. I could not state accurately; I do not think over twenty minutes, perhaps more—only a short time.

Q. Do you know whether he returned to the office the second time that day? A. I do not remember the second visit.

Q. Have you a remembrance of about the time of day he was at the office? A. Not exactly, except that it was before dinner.

Q. Do you remember when you first learned of the fact that an explosion had occurred at Coffeyville at the residence of Mr. Upham? A. Yes, sir.

Q. Just state fully when that fact first became known to you. A. About half-past 10 on the morning of the 19th.

Q. Well, do you know about what day of the week it was? A. Friday.

Q. From whom did you learn it? A. Thomas Cavanaugh, Missouri Pacific conductor.

Q. Do you remember where you were when he informed you? A. In the *Non-Conformist* office.

Q. Who was present at the time he informed you, if you remember? A. I do not remember, except that we were busy getting—mailing the edition of the *Non-Conformist*, and it was probable that the entire force of the office were there.

Counsel here announced that as one of the witnesses, Mrs. Cougher, was anxious to leave the city that evening, and he understood the Committee desired to further examine her, asked that she be called now. Mr. Vincent was excused for the present.

Mrs. COUGHER, recalled, and examined by Senator Kimball, testified as follows:

Q. Mrs. Cougher, when did you come to Topeka first since this examination? A. I was here about three weeks ago; then I went back home.

Q. What time did you come here then? A. I do not remember just the date; I think it was on Saturday—about four weeks ago last Saturday.

Q. Where did you go then? A. I went to my mother's, 711 Quincy street.

Q. How long did you remain with her? A. A little over two weeks.

Q. That would be until two weeks ago last Saturday? A. Yes, sir.

Q. And then you went back to Salida, Colorado? A. Yes, sir.

Q. Did you know at the time that you went back to Colorado that your name had been suggested as a witness before this Committee? A. It had never been; no, sir.

Q. What caused you to come back again from Salida, Colorado? A. I was telegraphed for.

Q. By whom? A. By my mother, at the request of Mr. Vincent.

Q. You had business that called you back to Salida, Colorado, did you? A. I did; that was my home; my children were there, and my work was there, and I had to go home.

Q. When you went back there from here, was it with the intention of returning here? A. No, sir; it was not. I never expected to see this town again.

Q. You went from here as far as the State line on a pass, did you not? A. I did.

Q. That was a round-trip pass, was it not? A. No, sir; I did not ask for it that way, and if Senator Rush will be honorable he will so state these facts.

Q. You simply asked him for a pass to Colorado? A. Yes, sir; to the State line.

Q. Had you ever seen either of the Vincents or had any acquaintance with them before you received that telegram? A. I had never seen either of them, to my knowledge.

By Mr. Henderson: Q. When were you first informed that you would be used as a witness in this investigation? A. In the telegram.

Q. When did you have the first talk or consultation with anyone with reference to the fact about which you testified? A. On Monday night, after I got here.

Q. Where? A. In room No. 1, at the Fifth Avenue hotel.

Q. Had you at that time met Mr. Vincent? A. No, sir; not until you introduced him to me.

Q. Were you acquainted with him or with his counsel prior to that evening? A. No, sir.

Q. Do you know at whose request you came to room No. 1, at the Fifth Avenue hotel? A. Mr. Vincent left that word with my mother when he requested her to send the telegram.

By Mr. Curtis: Q. When did you return to the city? A. Monday night.

Q. This last Monday night? A. Yes, sir.

Q. What was the date of the last pass you obtained? Was it last Saturday? A. No, sir.

Q. Was it not Saturday you obtained the pass? A. No, sir, it was not.

Q. When was it? A. The pass was dated the 25th of last month.

Q. When was it delivered to you? A. That same day, at noon.

Q. Did you go to your home, or to Pueblo and then return from there? A. I went home.

Q. Subpenaed after you came here? A. Subpenaed after I returned here.

By Senator Kimball: Q. Then it was a week ago and not two weeks ago last Saturday that you returned to Colorado, was it not? A. The pass was dated the 25th, and I started that day; I had just been home a day and a half when I got the telegram to return as a witness at once.

Q. And it was on the 25th of February when you left home? A. Yes, sir, it was the 25th; the date of the pass recalls it to my mind.

Witness was excused from further attendance.

Examination of CUTHBERT VINCENT, resumed.

By Mr. Curtis: Q. Who was Thomas Cavanaugh? A. A conductor on the Missouri Pacific.

Q. Was he a Vidette at that time? A. I do not know; I do not think he was.

Q. What position did you occupy at that time in the Videttes? A. I was in the local council; I had no position that I know of.

Q. In the state? A. I was recruiting officer. I wish to state, however, in this connection, that the record may show that the titles that were used in the Videttes were military in character, while the nature of the organization was wholly and only civil in character, there being nothing of the military about it except the titles for the officers.

Q. Is it not a fact that in certain parts of the ritual the members are directed to appear with arms and equipments? A. That appears there, but is only a matter of form, and never in my experience has there been any arms of any kind or description used.

Q. Were you not chief recruiting officer of the Videttes of the state of Kansas at

the time of your discussion with Mr. Henderson? A. I think not; I was a recruiting officer, but do not think I was chief officer at that time.

Q. Had you been the year before the chief recruiting officer? A. I do not think I ever was.

Q. Does not the recruiting officer get pay for the party he initiates, or causes to be initiated? A. He has certain pay for his work, as outlined in the ritual.

Q. The Videttes was a political organization, was it not? A. Yes, sir.

Q. Then why the use of the words "arms and equipments" in the ritual? A. I do not know why they were used; it was always considered by me and those with whom I associated simply as a matter of form.

Q. Why the oath that the party would deliver his body to the just vengeance of his comrades if it was only political? A. For the same reason that is given in all secret societies, that the penalty is placed in the obligation.

Q. Are you a member of any other secret society? A. I have been, but so long since I have forgotten all the formulas in the matter.

Q. Have you ever known of a secret society that demanded the body of its members for a breach of its secrets? A. Not of my personal knowledge.

The witness was excused, and the committee adjourned until to-morrow morning, at 10 o'clock.

TOPEKA, Monday, March 9, 1891 — 10 o'clock A. M.

Committee convened pursuant to adjournment; a quorum present.

THOMAS MCCORMICK, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Henderson: Q. You may state your name to the Committee. A. Thomas McCormick.

Q. Where do you reside? A. Bellaire, Ohio.

Q. Are you acquainted with George W. Poorman? A. I am.

Q. How long have you known him? A. Between two and three years.

Q. Are you acquainted with C. A. Henrie? A. I am not.

Q. Did you ever see him until you came into this room? A. I did not.

Q. Do you remember of hearing of what is called the Coffeyville dynamite explosion? A. Yes, sir; I read of it.

Q. After hearing of that occurrence, I will ask you to state if you had any talk with George W. Poorman? A. Yes, sir; I have spoken with Mr. Poorman.

Q. With reference to that subject-matter? A. Yes, sir.

Q. When was the first conversation you had with him? A. I think, possibly, it was along in May or June of 1889.

Q. Where? A. In Bellaire.

Q. You may state all that was said in that conversation. A. Well, I could not very well do that; I do not remember all the conversation.

Q. Give the substance of the conversation. A. Poorman seemed in his conversation — he seemed and claimed — to know nothing at all about the affair, and that was about the gist of it. I tried to get all the information I could about it, but he did not seem to know anything about it except what I already knew.

Q. Did he state in that conversation from what source he obtained all the information he then had in reference to the Coffeyville explosion? A. Well, he did to this extent: he said he had heard of it out here; had heard it through the papers here.

Q. State what he said. A. I do not think he said anything in particular, more

than he had his source of information from where I got mine—from the papers published in this neighborhood.

Q After that time, did you have a description of C. A. Henrie? A. Yes, sir.

Q From whom did you receive that description? A. I received it from two sources: I received it from the newspapers, and again from I. D. Highleyman.

Q Do you know whether or not C. A. Henrie was in Bellaire, at any time during the months of October or November, 1888, from your own knowledge? A. No, sir, I do not.

Q Did you receive any information as to his being there at that time? A. Yes, sir; I heard that there was a man of that name there that answered that description.

Q State to the Committee just what information you received, and the source from which you obtained it. A. The deputy postmaster at Bellaire told me, when I was making some inquiries about Mr. Henrie, that there had been a man by that name there who had called for mail and had received some, but at that time he had not seen him for two or three weeks; he had not been to the postoffice. I described the man and gave him the description I had of him; and he said that tallied with the description when he had seen him.

Q Was there anything said in that conversation with reference to the person or persons afterward receiving his mail? A. No, sir; not in that conversation.

Q Did you have a second and further conversation with the postmaster or deputy postmaster? A. I had several conversations with him about this matter.

Q In that conversation, or either of them, was there anything said about the mail of C. A. Henrie? A. No, sir; not in that conversation with him, nor at any time. I had a conversation with Mr. Drugan, who was also in hunt of Mr. Henrie; and he told me that he was informed—I suppose by the postmaster—that he had information that Mrs. Poorman was inquiring for Henrie's mail.

Q Which Mrs. Poorman? A. Mrs. George W. Poorman.

Q George W. Poorman's wife? A. Yes, sir.

Q Is George W. Poorman here now, in the room? A. Yes, sir.

Q Is that him sitting there? [pointing to Mr. Poorman.] A. Yes, sir.

Q And his wife was inquiring for Henrie's mail? A. That is my information.

Q From the description that you received of C. A. Henrie, do you now see in this room a man who meets that description? A. Yes, sir; this gentleman here answers the description very well in most particulars [pointing to C. A. Henrie].

Q I will ask you again, how many conversations you had with Poorman in reference to this Coffeyville dynamite explosion? A. Two.

Q In the first conversation was there anything said about Mr. Henrie? A. Yes, sir.

Q You may state what that was. A. Well, I was inquiring of Poorman about Mr. Henrie, that was the man I was interested in, and he told me that he knew nothing about it.

Q Never knew him? A. No, sir.

Q Did you have a second and further conversation upon this subject? A. Yes, sir.

Q When was that with reference to this investigation? A. I think it was long about the first of this month.

Q Well, you may state to the Committee what that conversation was. A. Well, the conversation started in this way, by me stating that I understood that Mr. Poorman was looking for me; a friend of mine told me he wanted to see me; and I went to his office to see what he wanted. The dynamite matter came up, of course, in our conversation. Mr. Poorman I think was under the impression that I was trying to injure him in the matter; and I explained myself by saying that I did not consider him in the matter; that I did not think he was charged with any offense.

in fact thought Henrie was the man I was after. He said, "It is very strange you cannot get Henrie, as he is in Topeka, and has been there all the time." I said, "Do you know him?"

Q. He first said he did not know him? A. Yes, sir.

Q. And in this last conversation, he said Henry was in Topeka, and had been all the time? A. Yes, sir.

By Mr. Curtis: Q. Have you got in your possession now either of the descriptions you received of Mr. Henrie? A. No, sir; I dropped the matter long ago. I was informed by Mr. Highleyman that he could not get any warrant for Mr. Henrie, and the matter was dropped.

Q. Do you remember the description that he gave of Mr. Henrie? A. Well, I could not repeat it.

Q. Does Mr. Henrie's complexion agree with the complexion that was given you by Mr. Highleyman? A. Yes, sir, the description agrees very well, except the eyes; I remember his eyes were described as black; I see they are not.

Q. When was it this man Highleyman gave you the description of Henrie? A. I do not remember.

Q. About how long ago? A. I could not assume to say.

Q. How long after the explosion, or after you heard of the explosion, that he gave you the description of Henrie? A. The explosion occurred in the fall of 1888. Well, it was sometime in the next spring that I got the description.

Q. Are you sure that you got it from Mr. Highleyman? A. No, sir; I got it in a letter that was signed by Mr. Highleyman.

Q. Did you hear his testimony here the other day, in which he testified he did not have a description of Henrie in 1888? A. No, sir.

Q. Did you hear his testimony in which he testified that he never sent a description? A. No, sir.

Q. Did you hear his testimony? A. No, sir.

Q. Have you now any letter that you received from Highleyman in your possession? A. I know I have none with me, and I am not positive that I have at home.

Q. Did you ever receive a letter direct from Mr. Highleyman? A. No, sir.

Q. From whom then did you receive it? A. William Drugan.

Q. What is Mr. Drugan's business? A. He is a farmer.

Q. He is kind of a tin-horn detective, is he not? A. Tin-horn! what kind of a detective is that?

Q. One that follows the detective business only part of the time. A. If that is what you call a tin-horn detective, I guess he is.

Q. What is your business? A. I am deputy oil inspector of the state of Ohio.

Q. Are you a detective? A. I have worked at it.

Q. Well, did you see a letter from Mr. Highleyman in which a description of Mr. Henrie was given, in the spring of 1889? A. I did.

Q. Out of what newspaper did you get a description of Mr. Henrie? A. I do not know; I cannot remember the names of these Kansas newspapers.

Q. Didn't you say to Mr. Hutchins Saturday that you could not remember the description of Henrie that was given you? A. I said I could not remember it exactly.

Q. What name or initials did the postmaster say this Henrie gave when he inquired for mail? A. C. A.

Q. Did he tell you a person inquired for the mail of C. A. Henrie, or did he say that he could not remember the initials? A. I told him if any mail came for C. A. Henrie to tell me; I made some inquiries afterward, and there was none came.

Q. Did he ever tell you that there had been mail for C. A. Henrie? Did he tell

you there had been mail received there by a party by the name of C. A. Henrie? Didn't he tell you there had been mail received there for a party by the name of Henrie, but he could not remember the initials? A. I told him the initials were C. A. Henrie, and he said there had been mail received.

Q. I understood you to say that two weeks before, in the first interview with the deputy postmaster, that a party by the name of Henrie had received mail there; at that time did he not inform you that he did not remember the initials of the party who had received the mail? A. No, sir.

Q. What did he say about that? A. I asked him if there had been mail come there for C. A. Henrie, and he said there had been mail arrived there for a man by that name, but not lately.

Q. Did he tell you how long before? A. He named three weeks.

Q. What date was it you made the inquiry? A. I do not know.

Q. About what month was it? A. It was about the time I got his description in the spring of 1889.

Q. And that would not be in the fall of 1888, October or November, 1888? A. No, sir.

Q. About how late in the fall was it—I mean in the spring? A. I do not know; I do not remember.

Q. Can you fix about the month? A. No, sir; I should judge probably May or June of 1889: it might have been in April.

Q. And at that time he informed you that about three weeks before a party had inquired for mail by the name of C. A. Henrie? A. Yes, sir.

Q. Now you were going back there to the office every few days and often enough to make inquiries whether or not a party by the name of C. A. Henrie was getting mail there? A. No, sir.

Q. Now, after that day, did the postmaster or deputy postmaster inform you that any mail had come there for C. A. Henrie, and had been taken out by Mr. Poorman's wife? A. No, sir.

Q. Did anybody connected with the postoffice inform you after the first time you were there that Mrs. Poorman had inquired for the mail of C. A. Henrie? A. No, sir.

Q. You made a personal investigation of the matter yourself, didn't you? A. To the extent I have already stated.

Q. After the first interview, you went there about how often to see whether or not mail had been inquired for by C. A. Henrie or for him? A. I never asked after the first time; I supposed when any mail came he would tell me, as I was in the post-office every day.

Q. And you never had any information after that from the postmaster or deputy? A. No, sir.

Q. You say that the first time you talked with George Poorman he informed you he knew nothing about the explosion at Coffeyville except what he read in the newspapers? A. He seemed to know about it as much as I did.

Q. And that was from the newspapers? A. Yes, sir.

Q. Did he not tell you that he had nothing to do with it personally, or knew nothing about it personally? A. Yes, sir.

Q. Do you know where Mr. Poorman was during the month of November, 1888? A. Nothing only what I heard; I heard he was here.

Q. November, 1888? A. I do not know where he was then; I had no acquaintance with Poorman until he came back from Kansas, and I suppose he had been there some time before I knew who he was.

Q. Did Mr. Poorman ever make a confession, directly or indirectly, or intimate to you if arrested he would make a confession, implicating himself and others in the Coffeyville explosion? A. No, he did not.

Q. Did he ever make any to your associate, Mr. Drugan? A. Not to my knowledge.

Q. You consulted Mr. Drugan about this matter, did you not? A. To some extent.

Q. Is it not a fact that Mr. Drugan and yourself did not have any confession or promise of a confession from Poorman at any time? A. I have already sworn that he never confessed to me, and Mr. Drugan never informed me that he confessed to him.

Q. And yet you were working with Mr. Drugan in this case, getting your information, reading the letters that were written by Highleyman to Drugan? A. Yes, sir; I read all of these letters; I expect nearly all of these latter ones.

Q. Is it not a fact that you saw all of them? A. I do not think so.

Q. Did you see the most of them? A. I think Drugan was working on the case before I knew anything about it.

Q. When he did present the matter to you, did he not show this correspondence to you, and tell you all about what he had received and knew about the case? A. I believe he did, to a great extent.

Q. It is customary in your profession, is it not, to assist each other, and give each other all the information you have when you work together on a case. A. Yes, if true to one another.

Q. Do you remember of Mr. Drugan and yourself writing to Kansas that Poorman would confess, or that you thought he would confess, if arrested? A. I seen a letter of that kind; yes, sir.

Q. At that time, did you have any information from Mr. Poorman, or any intimation from Mr. Poorman, that if arrested he would confess? A. I never had.

Q. At the time that letter was written, or you saw it, did Mr. Drugan inform you he had any confession or promise of confession from Poorman? A. No, sir.

Q. How did you expect to get a confession from Poorman? A. I think that was Drugan's opinion—that George would confess what he knew about Henrie. I do not think Drugan or I was working with the idea that George was implicated with the crime—merely knew of it. Drugan's opinion was, that George, if he knew anything, and was arrested, would confess to screen himself.

Q. If he told that he was not guilty, and had nothing to do with it, and in his conversation knew nothing more than something that he read from the newspapers, how did you expect to receive any benefit from anything he might tell you? A. I did not expect to receive any benefit if he told the truth, the whole truth, and exact truth.

Q. How much reward at that time had been offered; or do you know? A. I do not know the amount.

Q. How much had you been informed was offered? A. I do not know that I was informed that there was any amount offered.

Q. Then you were doing most of your figuring for Drugan and Highleyman? A. Yes, sir.

Q. Do you know a photographer by the name of O. C. Henrie there? A. Yes, sir.

Q. Is it not a fact that Mrs. Poorman, or the Poorman home, is right next to them and their neighbors? A. I could not tell you about that. I am not familiar with either Mr. Poorman's or Mr. Henrie's residences.

Q. You do know there is a photographer in that town by the name of O. C. Henrie? A. Yes, sir.

By Mr. Henderson: Q. You have lived there a great many years? A. Yes, sir.

Q. Mr. O. C. Henrie had lived there a great many years, had he not? A. Yes, sir.

Q. How old a man is he? A. I should judge about thirty years.

Q. How does his general appearance compare with that man? [pointing to Mr.

C. A. Henrie.] A. There is not much of a resemblance; about the same complexion, that is all.

Q. What sized man is O. C. Henrie? A. A little below the average.

Q. Who was it informed you that Mrs. Poorman inquired for the mail of C. A. Henrie? A. I think Mr. Drugan gave me the information.

Q. Did you have any talk with the postmaster or his deputy or any of his clerks with reference to that matter? A. No, sir; the reason I did not, there was a change in the administration.

Q. When did you first meet Mr. Hutchins — that good-looking gentleman over there? [pointing to Mr. Hutchins.] A. I met him last Friday.

Q. Where did you meet him? A. At the state house.

Q. Who introduced you? A. I think the sergeant-at-arms of the senate.

Q. You came here a total stranger? A. Yes, sir.

Q. Didn't know anybody? A. Yes, sir.

Q. You went to the senate and inquired for the sergeant-at-arms? A. Yes, sir.

Q. The sergeant-at-arms introduced you to Mr. Hutchins; is that the gentleman? [pointing to Mr. Hutchins.] A. Yes, sir; that is the gentleman.

Q. Did you have any talk with him? A. Yes, sir; I walked from the state house here with him.

Q. Did he talk about this investigation? A. Some.

Q. What did he say? A. Well, I think he began the conversation in this way: he said, "I understand that Mr. Poorman has confessed his guilt to you in this matter." I told him "No, nothing of that kind." And then I thought I had better know who he was, and I asked him, "Are you a member of the committee?" He said, "No, sir." I said, "Are you an attorney on either side of the case?" He said, "I stay up around there; I loaf up around there."

Q. What did he say he did around there? A. I think he said he occasionally helped the clerks.

Q. Did he tell you about being in correspondence for any of the newspapers? A. No, sir.

Q. Didn't tell you he wrote the articles published in the *Capital* here? A. No, sir.

Q. Did he say anything about them? A. No, sir.

Q. How long have you known George W. Poorman? A. I think two years, or maybe a little longer.

Q. Are you acquainted with his father? A. Yes, sir.

By Mr. Crumley: Q. Why did you go to the senate the first place after you arrived in the city? A. I supposed the Committee were in session at the capitol building, and I went there first because I supposed the sergeant-at-arms could inform me where the Committee met.

The witness was excused.

Mr. Henderson asked the sergeant-at-arms if he subpoenaed, on Saturday, Mr. Leland J. Webb; if so, he asked that he be called. Mr. Malone stated that Mr. Webb had been subpoenaed, and he was therefore called, but was not present. The record of the Committee showed that a subpoena had been issued for Leland J. Webb, and duly served upon him on the 7th day of March, 1891.

The sergeant-at-arms, J. F. Malone, was called to testify in regard to the matter, and, being duly sworn, testified as follows:

Examined by Mr. Henderson. Q. You may state your name to the Committee. A. J. F. Malone.

Q. You are sergeant-at-arms of this Committee? A. Yes, sir.

Q. Do you know Leland J. Webb? A. I first met him when I subpoenaed him.

Q. When did you subpoena him? A. Saturday evening last.

Q. Where was he at that time? A. He was at his residence.

Q. Did you have any talk with him? A. Yes, sir.

Q. What did he say with reference to his attendance upon this Committee? A. He said the Committee would have to excuse him, as he had business in New York; I said I had nothing to do with that; I was ordered to subpoena him; he answered, "You have done your part."

Witness was excused.

Mr. Henderson moved that the Committee issue an attachment for Mr. Webb, which motion prevailed, and an attachment was ordered accordingly. The order was recalled, as the witness then made his appearance.

LELAND J. WEBB, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Henderson: Q. State your name to the Committee. A. Leland J. Webb.

Q. Where do you reside? A. 1216 Taylor street, this city.

Q. Are you acquainted with the governor of this state. Lyman U. Humphrey?

A. Yes, sir.

Q. Are you acquainted with C. A. Henrie? A. Not personally.

Q. Did you ever meet him? A. I have seen a person who was pointed out as C. A. Henrie; if I ever met him I have no recollection.

Q. Is that the gentleman? [pointing to Mr. C. A. Henrie.] A. I have seen him before, but I would not know him as C. A. Henrie.

Q. I will ask you to state if you heard of the so-called Coffeyville dynamite explosion of October, 1888? A. Yes, sir.

Q. After that time did you have any conversation with Governor Lyman U. Humphrey in reference to the matter, and C. A. Henrie's alleged connection therewith? A. Yes, sir.

Q. You may state to the Committee what that conversation was. A. Governor Humphrey called me into his private office and said he wanted to talk to me about the matter; and said he had conversed with Hackney and Greer about that dynamite outrage, and that Hackney and Greer had gone away and they could not come back, but they had agreed that I should write some affidavits; and I asked him, "What affidavits?" and he said, "The affidavits which that fellow in the labor bureau was to make." I asked him "What fellow?" and he said "Henrie." I said "Henrie, Henrie, what Henrie?" "Why," he said, "that Henrie that was said to be connected with that dynamite outrage down in Coffeyville." "Well," I said, "I do not know Henrie; I did not know that Henrie was over in the labor bureau;" I said I did not know that this administration was making that kind of appointments. And he said, "Leland, we had to do it." I said, "I thought Frank A. A'Neal was to have that place;" he said, "These charges are very serious charges, and they affect me personally, Mr. Greer and my friends, and we had to do it: Hackney and Greer have gone away and cannot come back, and I am afraid he is going back on us, and I want you to draw up these affidavits." I told him I was not in much of a hurry; that I thought it an outrage that a man like Henrie should be appointed to a position of that kind, under a republican administration, over an old soldier like Frank A'Neal, and that Henrie was not even a republican but that he was an anarchist. I had read some papers which were said to have been written by him, or it was generally supposed throughout the community that they had been written by him. That he had taken part in a meeting on the corner of Sixth avenue and Kansas avenue

when Parsons, the anarchist who was hung at Chicago, made a speech similar to that which he made at the Haymarket, and I did not think it was the proper thing to do. He said it was a matter he could not help; that these charges had been made, and ~~it was necessary that the truth should be known~~; that—as I said before—the charges were very serious, affecting him personally, and connecting him with what was said to be a great crime; and that those who had been charged with him thought it was the best thing to do. I do not pretend to say to you that I am giving the exact language of the governor, but the substance. I said it did not make any difference what kind of an affidavit he would make, no one would believe him, and I declined to draw up the affidavits, and bade the governor good-bye and went out.

Q. If I understood your statement correctly, Mr. Webb, you stated that the governor said to you he was afraid "he would go back on him." Who did he mean by that? A. He said that Henrie would go back on his promises to make these affidavits.

By Mr. Curtiss: Q. When was Mr. Frank A. A'Neal an applicant for the place there, Mr. Webb?—give the year if you can. A. I think it was about two years ago.

Q. Was he not an applicant for the place there last summer? A. If he was, I do not know that fact.

Q. What year was it you had the conversation with Governor Humphrey? A. The year he was first inaugurated—the year 1889.

Q. You say the governor called you into his private office? A. Yes, sir.

Q. Did he not tell you in that conversation that he wanted these affidavits because he wanted the truth to be known? A. No, sir; not in so many words—he did not.

Q. Did he say the truth ought to be known? A. He said he wanted these affidavits for the purpose of exonerating himself and the gentlemen charged with him in that transaction.

Q. He told you, did he not, that he did not have anything to do with it? A. I do not think that it was necessary for the governor to make that statement to me at that time.

Q. It would not be necessary, would it? A. No, sir; it would not.

Q. You didn't like it because Mr. Henrie had been placed in there over an old soldier, did you? A. No, sir; I did not.

Q. You have been making considerable fight in that regard during the last two or three years? A. Yes, sir.

Q. And because of Mr. Henrie and one or two others being placed in positions in preference to old soldiers, you have been a little mad at the governor, have you not? A. Yes, sir.

Q. Did he tell you what he wanted you to put in the affidavit? A. No, sir; he did not.

Q. Did he tell you he wanted you to talk with Mr. Henrie before you drew the affidavit, or that he would have Mr. Henrie come to the office? A. I think he did suggest that I ought to meet Mr. Henrie.

Q. For the purpose of drawing an affidavit? A. Yes, sir; I am quite sure that he suggested that.

Q. Did he not tell you that Henry had opposed making affidavits to go into a newspaper controversy with the parties who were making the charges? A. I do not think he said that; I think what the governor did say, was, in substance, that Henrie was afraid to make these affidavits because of the assaults that would be made upon him by his former associates; that is what I understood from the governor.

Q. Did he say anything to you about Mr. Henrie's connection with the Videttes

or a labor organization? A. I do not think he mentioned an organization or investigation; I understood what it was—so did the governor.

Q. You understood Mr. Henrie had been connected with the Videttes, did you not?

A. It was so understood.

Q. It was understood, was it not, by you and the governor at the time, that Mr. Henrie's connection with the Vidette expose was to furnish and write up the last expose? A. Well, I do not know whether the governor understood that or not; I did not.

Q. Was there anything said about that? A. No, sir, I never heard of anything except the purpose for which Mr. Henrie was to make the affidavits.

Q. You knew that he was connected with the Vidette expose? A. I had read something of that description; I had heard a good deal about it.

Q. You say that you did not know that Mr. Henrie was in the office of the labor bureau until that time? A. No, sir, I did not.

Q. Was not that after July, 1889? A. I do not think it was; I do not recollect of this transaction; it might have been after that, and it might have been before; I think it was about a year and a half ago, as near as I can recollect.

By Mr. Henderson: Q. You stated, Mr. Webb, in answer to Mr. Curtis's question, that the fact that Mr. Henrie was not a soldier was not the only objection that you had to him: what other objection did you have against him? A. The objection I urged against his appointment to that position, was the fact that he was not only not a republican and was not entitled to anything at the hands of a republican administration, but that he had been, as long as he had been living here, connected with an organization that was detrimental to good government, it was generally understood, and that was the objection that I had to him.

Q. And you so stated to the governor? A. Yes, sir, I said so in so many words.

Q. In reply thereto, the governor said that they had to make the appointment? A. Yes, sir. That is not all that he said. That is part of what he said.

Q. Have you related substantially all that was said between you and the governor at that time? A. I think so, in a general way; think I have stated the substance of the conversation.

By Mr. Curtis: Q. I will ask you to state if you remember of Mr. Henrie ever roasting you in his paper about the defense you made for the *Commonwealth* and the part it took with the strikers? A. Yes, sir, I believe there was such an occurrence. It was a little bit of a paper, and I did not know whether he wrote it or some one else wrote it. You may call it a roast; it was pretty well done. The fellow that wrote it knew his business pretty well.

Q. Has there been a friendly feeling existing between you since then? A. There never was a friendly feeling existing between us.

Q. You have been a little bitter since then? A. No, sir; I don't think such an article as that could hurt me.

By Mr. Henderson: Q. Does the fact that there is no friendly feeling existing between yourself and Mr. Henrie interfere with you stating substantially that which took place between yourself and Governor Humphrey? A. Mr. Henderson, I do not think that is a fair question to ask me; I have stated in substance what took place between the governor and myself. I have stated very frankly in the presence of Mr. Henrie my opinion of him; my opinion has not changed. The fact that I think the governor has made a mistake, does not change my mind at all.

Q. Does the fact that there has been no warmth between yourself and Mr. Henrie interfere with your understanding of what the governor said? No, sir, not at all.

By Senator Kimball: Q. When you say that you do not believe that these parties were connected with the outrage, what parties do you refer to? A. I mean Gov-

ernor Humphrey, Mr. E. P. Greer, and the gentlemen who are said to have been connected with it, and that it was done for political purposes.

Q. You do not believe the governor was connected with it? A. No, sir.

Q. And you do not believe that it was done for political purposes? A. I do not know what it was done for.

Q. You include Mr. Hutchins and Mr. Booth both? You have no idea that either of them was connected with that explosion? A. I have never seen or heard anything that would lead me to believe that. No, sir; I have no such ideas that either of them was connected with that explosion; I have never seen or heard anything that would make me believe that.

By Mr. Henderson: Q. Do you know what it was that led to the imperative act of the governor in appointing Mr. Henrie to the position that he now occupies? Do you know any reason why it was necessary to appoint Mr. Henrie? A. No, sir; only what the governor said. The governor said that Mr. Henrie had agreed to make some affidavits concerning that transaction which would exonerate himself and the other gentlemen who were connected with him, in the charge made against them as being parties to that crime; that it was necessary in order to exonerate them. That the charge had been made; that they were charged with a very serious offense and crime, and in order to have this man who knew the facts state them, he was given this appointment. A position where he would be under obligations to state the facts; this is in substance what the governor said.

Q. Did you understand from what the governor said to you that Henrie knew the facts? A. Why, yes.

Q. Did you understand that he was to so state them as to exonerate not only himself, but others who were charged with him? A. I understood from the governor that Henrie was to state the facts for the purpose of exonerating the governor and other gentlemen who were charged with the governor as being directly or indirectly responsible for that Coffeyville transaction.

Q. Did you understand from the governor that Henrie's denial amounted to a statement of facts? A. No, sir.

By Judge Webb: Q. Do you remember whether, in your conversation with the governor, the names of parties other than those whom you have mentioned were spoken of as having been connected with that explosion? A. I am confident that the only names mentioned by the governor, outside of Henrie, were those of Hackney, an attorney, and E. P. Greer, who was one of the parties who was charged with the governor. I do not think he mentioned Mr. Booth, Mr. Hutchins, or any other name.

Q. Did the governor in that conversation suggest any persons whom he thought had been connected with the outrage? A. Well, yes; he did not mention names, but he did say that it was done by the Vincents and men who were connected with them, and men who were known as anarchists, and so on in a general way. He did not mention any names that I know of; that sort of went by a common understanding between us.

Q. Did he tell you from whom he learned who were the perpetrators? A. No, sir, he did not; he simply wanted me to write some affidavits, and I did not know what he meant when he started out to tell me, and I let him tell until I found out what he meant, and then I expressed myself in my usual style what I thought about it; and I left there and did not write those affidavits. I never heard of any affidavits being written; I do not know whether anybody else did. I never heard of any affidavits being written.

By Senator Kimball: Q. Did the governor say in that conversation whether the facts that Henrie knew, would indicate who had been connected with, or was guilty

of this explosion, or that he knew of those facts, which would show that these persons who had been charged, were not guilty of being accessory to that outrage? A. I want you to let me state the substance of what the governor said. I cannot tell you his exact language. I understood from what the governor said that this man knew these facts; that he was willing to make an affidavit that would exonerate the governor. [Senator Kimball explained the question, and the witness further stated:] That is, in substance, the governor said that this man knew the facts; that he agreed to make a statement under oath that would clear the governor and Greer and the other gentlemen, of the charge that they were guilty of; but that he was afraid Henrie would not dare to do that, because the real parties would make it interesting for Mr. Henrie and that was the reason why he was afraid Henrie would go back on it.

Q. You understood from the conversation that this affidavit that Henrie was to make was, at least so far as the governor understood it, to be the truth? A. Certainly, as I understood, so far as it exonerated the governor.

Q. And so far as the other parties? A. Yes, sir; I understood that; I want to make an explanation. There was not anything said so far as the governor was concerned that he wanted anything except the truth known, and that that would relieve him; he did not say anything to me that would lead me to believe that himself or the gentlemen charged were guilty of any offense; not at all.

Q. The understanding then, which you got from the governor's statements was, that Henrie not only knew that the governor and those who had been charged with him as being accessory to this outrage or crime, were not guilty, but he also knew who was guilty? A. Yes, sir.

Q. Now, if you can remember any particular part of the conversation in addition to that which you have already stated—if it is not in addition you need not repeat it—that would indicate that the governor thought that Henrie did know who were the guilty parties, I would like to have you state it. A. I think I have stated the substance of what was said between the governor and myself at that time.

Q. And it was from that conversation as you have stated it that you gained this understanding that you have given us? A. Yes, sir.

By Judge Webb: Q. Did you include Henrie in that number whom you thought did not know anything about it? A. No, sir; I did not.

By Mr. Curtis: Q. Did not the governor at the time tell you that Mr. Henrie was in the city of Topeka at the time of the explosion, and that he could produce affidavits from parties here for whom he did work on that day? A. I do not know whether the governor said that or not. I have heard that statement.

Q. Didn't he say to you that Henrie could furnish affidavits of where he was on the day of the explosion? A. I do not think the governor said that to me. I am quite sure that he did not.

Q. You say you either heard it, then or some other time, that Henrie was here, and did work for parties upon the day of the explosion? A. I think I read that in a newspaper published in the southern part of the state.

By Mr. Henderson: Q. What paper did you read it in? A. I think it was a paper called the *Non-Conformist*.

Q. That Henrie was here at the time? A. I do not know whether it was in that paper I read it—somewhere—I know I read it.

Q. Do you remember whether you read it as an editorial or as a quotation? A. I think it was a quotation.

Witness was excused from further attendance.

Committee adjourned to meet at 2 o'clock this afternoon.

MONDAY, March 9, 1891—2 o'clock P.M.

Committee convened pursuant to adjournment; a quorum present.

BEN. S. HENDERSON, being duly sworn to testify the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Judge Webb: Q. Please give the Committee your name and residence. A. Ben. S. Henderson, Winfield, Cowley county, Kansas.

Q. State whether you are acquainted with George W. Poorman. A. Yes, sir.

Q. Do you know Mr. R. R. Frey? A. Yes, sir.

Q. Do you know James Cooper? A. Yes, sir.

Q. Just before and about the time of the procuring of the ritual of the National Order of Videttes which has been mentioned in the testimony, did you have any conversation with either one or more than one of the three gentlemen mentioned concerning it? A. I had conversation with all three you mentioned.

Q. I wish, in your own way, and in the order in which it came to you, you would tell the committee what you can about the procuring of this ritual? A. The exact dates I am unable to give, but sometime in September—the day I remember distinctly; it was Sunday—I met Mr. Poorman on the corner of Ninth and Millington streets, in our city. He said to me, "I understand that the republican county central committee and the union labor central committee have decided that you," meaning myself, "and Mr. Vincent are, at an early day, to hold a joint discussion," and I told him that was true. Says he, "I can obtain the secret work of that organization if you want it." I answered, if I had to hold a joint discussion with Professor Vincent, that I wanted everything I could get. I then asked him where, and from whom, he could obtain this information. He told me, "Mr. and Mrs. Nutt, at South Haven in Sumner county"; I said, "I shall see the chairman of the republican county central committee, and see that arrangements will be made by which you shall be compensated, provided, however, that you succeed in procuring the papers to which you have called my attention." The next conversation I had with him was during, I think, the following week; the date was the day that General Rice and Mr. Campbell, republican speakers, spoke in Winfield. I met Mr. Poorman on the street, on Main street as I remember, and took him to Mr. Cooper, the then chairman of the republican county central committee, and, upon my solicitation, Mr. Cooper arranged with him, and made satisfactory promises which were all agreed to, and he was to go that night, or rather that afternoon, to South Haven. When he returned I was absent from the city; I was in St. Louis. I returned home, as I now remember, on the 2d of October, and was informed by Mr. Cooper that the ritual had been obtained, and the first time that I saw the book was in Mr. Greer's office. Mr. Cooper and myself went over there for the purpose of showing me the book.

Q. As you understood it, for what purpose was the ritual procured? A. For the purpose of the joint discussion.

Q. Do you know what arrangements were made with Mr. Poorman as to the defrayal of the expenses incident to the procuring of the ritual? A. I said to Mr. Cooper, "Mr. Poorman seems to be acting very fairly about this matter, and all that he asks is his expenses, and the only amount that he asked for was \$5. If you will give him that amount of money, and he should fail to procure the ritual, then I will pay the expense myself." I was then of the opinion, from what I had heard of the National Videttes, that it was a treasonable order, hence I was very anxious to have the secret work.

By Mr. Curtis: Q. You were willing to give a hundred dollars for this book, were you not? A. I don't remember I said one hundred dollars; I would have given a good deal.

Q. Did you say you would rather give him a hundred dollars than not to get that book? A. Yes, sir.

Q. You wanted the book? A. Yes, sir.

Q. At the time you noticed it in the office of Mr. Greer, was it being set up in type? A. I do not know about that.

Q. They were arranging to print it and publish it? A. I think so.

Q. I will ask you to state if Mr. Vincent in that joint discussion didn't deny the existence of that organization? A. He denied the charge I made against him. I charged him, as I now remember it, with being a member of a treasonable organization; my question was in writing, and handed to him; just the language I used, I cannot now state.

Q. Did you not understand from his reply that he denied belonging to that order — the National Order of Videttes? A. No, sir, I did not. From his denial in that discussion I reached the conclusion that he was not a member of any order of which I had charged him. It is true, in my charge I accused him of being a member of a treasonable organization, and his denial, the language he used I am not able to give, but reached the conclusion that he was not a member of the order that I had charged him with being a member of.

Q. You exhibited the book, did you not? A. Yes, sir.

Q. That was what you based your charge upon? A. Yes, sir; I made a big parade of it, too.

By Mr. Carey: Q. Did you know what was in the book? A. No, I did not; that is a fact; but I took the book out of my pocket and turned to the fly leaf, or one of the first leaves, wherein it stated, H. & L. Vincent, publishers, Winfield, Kansas. I had read the first page; it was handed me after supper on the day of our joint discussion, or rather the night instead of day; I did not read the book; I have tried to read it since, but there are some things in it that I cannot read and do not understand.

By Judge Webb: Q. Mr. Henderson, I want the question answered direct as put to you: did Vincent deny he was a member of the Videttes? A. No, sir; I made no such charge.

Q. That is not what you accused him of? A. No, sir.

Q. You accused him of belonging to a secret treasonable organization? A. That was my charge.

Q. He said he did not belong to any such organization? A. Substantially.

Q. I will ask you to relate the conversation you had with the three gentlemen I have mentioned, in the order they occurred. Did you have a conversation with Cooper with reference to the procuring of that Vidette expose. A. I did.

Q. Well, what was that conversation? A. I came home, as I said, the 2d day of October, perhaps the 3d; I walked from the depot up town, started to my office; I met Mr. Cooper before I reached my office; he informed me in that conversation that Mr. Poorman had returned with the book, and that they had sent him to Topeka. I said, "Where is the book?" He said, "Come and go up to headquarters," meaning republican headquarters. I went up there; he called upon Mr. Barnum, I think it was, perhaps Mr. Soward, and asked him where that book was; the reply was to the effect that Mr. Greer had it. Mr. Cooper then remarked: "What business has Mr. Greer with that book?" And, whether it was Mr. Barnum or Mr. Soward, one or the other, remarked that he was going to set it up and publish it. I remarked: "That will not do; I do not want this book published until after this joint discussion." I said, "Vincent is an old speaker and has been in the business, and I do not want him to know the thunder we have got behind," or words to that effect. Cooper said, "Well, we will go and see about it." However, I had remarked

that I wanted to see the book. We went over to Mr. Greer's office, which was across the street from republican headquarters, and a Mr. Kennedy was in the office, and Mr. Greer, and, I think, Mr. Winton—I will not be certain about that. Mr. Cooper called for the book, and Mr. Greer handed it to him. At that time it was separated; at that time the leaves were taken out. I suppose, and I know from the conversation that I had with Mr. Greer, it was then being set up in type. I objected to the publication of it because I thought and said if that matter was published and it was of the character that we claimed for it, that Mr. Vincent was shrewd enough to prepare himself to meet any and all emergencies, and that he would be in a condition, that he would simply analyze that in a shape to destroy whatever political effect we desired it to have. Afterwards it was published, I think on Thursday of the week that the joint discussion commenced on Saturday. Mr. Cooper, Mr. Frey and Mr. Soward, and quite a number of other members of the committee, the names of whom I cannot now call to mind, seemed to be very angry that Mr. Greer should make the publication at the time he did. I might add, I was a little mad myself about it.

By Mr. Curtis: Q. You were an active republican that fall, were you not? A. Yes, sir.

Q. You were consulted by the republican central committee and their representative in reference to the campaign, were you not? A. More or less—yes.

Q. I will ask you to state if at any time during that fall you heard anything said by any of the republican county central committee, or by Mr. Greer, about the preparation or use of a box of dynamite or other explosive substance? A. I did not; no sir.

Q. Did you hear anything said up there about their going to prepare a box of dynamite or other explosive substance, and have it delivered at Coffeyville or any other place, to be sent by express to Winfield? A. No, sir.

The witness was excused.

Mr. Henderson, in behalf of the prosecution, said that they demanded that all correspondence between Governor Humphrey and Mr. Greer relating to the Coffeyville dynamite explosion and the investigation thereof be produced in evidence as per agreement of the Governor when upon the witness stand, and with that they would rest, with the understanding that the defense would place upon the witness stand Ed. P. Greer, B. S. Hutchins, C. A. Henrie, Dr. Thomas Rude, George W. Poorman, and W. M. Goodner.

Mr. Curtis said that the defense would agree to put all of them upon the witness stand except Mr. Goodner; that he did not know whether they would put him on or not; if the other side desired to use him, they should put him upon the stand now.

Mr. Henderson thereupon called Mr. W. M. GOODNER, who being duly sworn to testify the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Henderson: Q. You may state your name to the Committee. A. W. M. Goodner.

Q. Where do you reside? A. Larned, Kansas.

Q. Are you acquainted with Bion S. Hutchins? A. I have learned to know him since coming here; have not been introduced to him.

Q. Are you acquainted with Henry Booth? A. I am.

Q. Was he chairman of the state republican central committee during the campaign of 1888? A. I so understand it.

Q. You have been in attendance upon this Committee during its present investigation? A. I have.

Q. Have you heard that part of the testimony which had reference to the secret order called National Videttes? A. I have.

Q. Were you a member of that order in 1888? A. I was during a part of the year.

Q. When did you become a member of the order? A. I think in February, 1888.

Q. What were your politics at that time? A. Republican; that is, I had never voted any other ticket, and never did until the fall of 1888; but I was interested somewhat in the reform movement in the state. That was prior to the introduction of the union labor principles in Pawnee county.

Q. Where did you join this order? A. In Larned, Kansas.

Q. What was the lodge or order called? A. It most generally was called the council, sometimes camp, sometimes bivouac.

Q. Are you acquainted with the members of that order? A. I was acquainted with those of my own county.

Q. I mean for your own camp? A. Yes, sir.

Q. What were the politics of those who were members of your camp at Larned? A. Well, part of them were republicans, part of them were greenbackers, two or three were democrats, and one or two prohibitionists.

Q. I will ask you to state if there was anything in the teachings and doctrines of that order that were treasonable in their nature? A. There was not.

By Mr. Curtis: Q. You mean to say republicans who joined that order voted the republican ticket that fall? A. I do not know, except as to myself; I did not.

The witness was excused.

The prosecution rested.

Mr. Curtis, in behalf of the defense, promised that the correspondence between Mr. E. P. Greer and Gov. L. U. Humphrey should be introduced in evidence, or an excuse given by the governor if the same could not be found or had not been preserved by either party; that the governor should be placed upon the witness stand for the purpose of explaining.

The witness McCormick was excused from further attendance upon the Committee.

EVIDENCE IN BEHALF OF THE DEFENSE.

SOL. BURKHALTER, being duly sworn to testify to the truth, the whole truth, and nothing but the truth upon the subject-matter under investigation, testified as follows:

Examined by Mr. Curtis: Q. You may state your name to the Committee? A. Sol. Burkhalter.

Q. Where do you reside? A. Winfield, Kansas.

Q. How long have you lived in Winfield? A. About twelve years, off and on.

Q. Do you know Ed. P. Greer? A. I do.

Q. How long have you known him? A. I have known him ever since I have been there.

Q. Do you know Volney Beard? A. I do.

Q. How long have you known him? A. I could not just say how long; I have known him quite a while.

Q. Did you know Hendricks and Wilson in 1888? A. I did.

Q. Did you know where their hardware store was in October, 1888. A. I did.

Q. Please tell the Committee, as near as you can, where it was located, and where the business house of Volney Beard was located. A. Their store is located on Main street, between Ninth and Tenth, on the west side of the street.

Q. Where is Mr. Beard's store, with reference to that of Hendricks & Wilson's? A. It is located on the same side of the street, one door north.

Q. State whether or not the buildings join to each other. A. They do.

Q. I will ask you to state if, upon the evening of October the 11th, 1888, at about the hour of eleven o'clock P.M., you were engaged in a confidential conversation with Ed. P. Greer, he sitting in a wheelbarrow, leaning against the corner of Beard's place where it joined Hendricks & Wilson's store? A. I was not.

Q. I will ask you to state if you ever had a conversation with Ed. P. Greer, about the hour of eleven o'clock at night, while Ed. P. Greer was sitting in a wheelbarrow leaning against the corner of Beard's place of business where it joined the place of business of Hendricks & Wilson? A. No, sir; I never had no conversation with him at all there.

Q. I will ask you to state if, in the fall of 1888, in the month of October, you had a conversation with E. P. Greer in the night-time, about the hour of 11 o'clock P.M., while he was sitting in a wheelbarrow leaning against the building occupied by Volney Beard, or while he was leaning against the building of Volney Beard, in which you said to him: "Ed, I hear you are onto them;" Ed. said, "Yes, sir, you bet I am;" you said back, "My God, that is awful dangerous;" Ed. said, "No sir, not at all." "Well," you said, "how are you going to fix it?" and he said, "I am going to have an officer there when the package is delivered." A. Nothing of the kind at all.

Q. I will ask you to state, if any night in October, 1888, or at any other night, or at any other time, you had any such conversation with Ed. P. Greer? A. I did not.

Q. I will ask you to state, if you ever had a conversation with Mr. Greer, as before stated, and in addition thereto you said, "There were women and girls there, that would be hurt, that they had better be careful;" to which Ed. spoke up and said, "There is no danger; we are going to have an officer there as soon as the package is delivered, and arrest the fellows?" A. Nothing at all whatever.

Q. I will ask you to state if you ever, at any time, had such conversation with Ed. P. Greer? A. Never.

Q. At no place? A. No place at all.

Q. In the fall of 1888, what were your politics? A. Republican.

Q. Were you connected in any way that fall with the republican county central committee of Cowley county? A. I was.

Q. What position did you occupy with that committee? A. I was treasurer.

Q. I will ask you to state if, during the fall of 1888, there was ever any talk between yourself and other members of the committee and Mr. Greer, in reference to the use of dynamite, or other explosive substance, by your committee, or by Mr. Greer? A. None whatever.

Q. I will ask you to state if the committee purchased, or obtained, or had anything to do, directly or indirectly, with the preparation of the box of dynamite, or other explosive substance, that was delivered to the agent at Coffeyville on the 18th of October, 1888? A. If they did, I do not know anything about it.

Q. You were treasurer of the committee, were you not? A. Yes, sir.

Q. If the republican county central committee had had anything to do with that matter, would you have likely known about it? A. I think I would have been one of the first to have known about it; I think I would.

Q. I will ask you to state if you ever at any time had any conversation with Mr. Greer, whereby any person hearing a part of it, could base any such statement upon it as I have related? A. No, not any.

Q. I will ask you to state, if during the fall of 1888, you heard Mr. Greer say anything or advise anything about the preparation of a box of dynamite or other explosive substance? A. I didn't hear a word.

Q. You may look around and see if you see Mr. Volney Beard in the room. A. That is the gentleman [pointing to Mr. Beard].

Q. Is there any other Sol. Burkhalter down in your town? A. I am the only one.

By Mr. Henderson: Q. You say you have lived in Winfield about twelve years? A. About twelve years off and on.

Q. How long have you known E. P. Greer--ever since you lived there? A. Yes, sir.

Q. Do you know Bion S. Hutchins? A. No, sir.

Q. Do you know C. A. Henrie? A. I know who they say he is.

Q. You came up here purposely to testify to the effect that Ed. Greer and yourself did not have the conversation as detailed by Volney Beard, did you not? A. I was summoned here; yes, sir.

Q. That was what you came here for? A. Yes, sir.

Q. You came here to contradict that which Mr. Beard had testified to? A. I came here to state the truth about it. I did come here to contradict it, yes.

Q. When were you first informed that Mr. Beard had made the statement upon the witness stand, the substance of which has been detailed by Mr. Curtis? A. I asked some of the boys what they summoned me for.

Q. Did you see Mr. Greer before you came? A. Yes, sir.

Q. Did Mr. Greer hunt you up, and tell you what Beard had testified to? A. No, sir.

Q. Did you have any talk with Mr. Greer about it? A. Yes, sir.

Q. When was it with reference to the time you were subpoenaed? A. Mr. Greer boarded his horse at my livery stable, and he came there to get his horse and buggy out, and he told me.

Q. When was that? A. It was on Sunday, I think.

Q. A week ago yesterday? A. Yes, sir.

Q. What did he tell you? A. He laughed, and said Mr. Beard had told that me

and him had a conversation up on Main street before his peanut-stand in regard to shipping some dynamite over to Coffeyville; that is about all he said.

Q. Didn't he say, "Sol., I want you to go up to Topeka and testify"? A. I had been summoned before that time.

Q. Did he not, in that conversation, tell you that he wanted you to come to Topeka and testify before this investigating committee? A. No, sir.

Q. Didn't he say he was desirous you should come? A. No, sir.

Q. Did you tell him you had been subpoenaed? A. Yes, sir; I told him I was going.

Q. Did you tell him what you were going to swear to? A. I told him that was a lie; we never had had any such conversation.

Q. You told Mr. Greer that that was a lie? A. Yes, sir.

Q. Mr. Beard is not a customer of yours? A. Customer?—no.

Q. Mr. Greer is? A. Yes, sir.

Q. You said you were treasurer of the republican county central committee of Cowley county in 1888. A. You know that, Colonel.

Q. And you had the money that all of us fellows put up there? A. Yes, sir, I suppose I had; I don't know.

Q. You were running a livery stable at that time? A. No, sir, I was not.

Q. In 1888? A. No, sir.

Q. Were you not interested in a livery stable at that time? A. I had a livery stable that a man rented from me.

Q. Were you not interested in a livery stable at that time? A. I owned the stable.

Q. From whom were the teams employed during the political campaign? A. They hired them from every liveryman in town; they hired a good many from other stables—democrats—and I told them they ought not to do it.

Q. And you raised a row? A. No, sir.

Q. Yes, you did. A. No, sir; I didn't.

Q. Now, Sol., is it not a fact that you did go before that committee one evening, when I was present, and raise a row? I mean by a row, not a fight or any thing of that kind, but you said you thought they ought to hire teams from Mr. Pierce; and isn't it further a fact that after you made this statement, it was agreed that Mr. Pierce was to furnish teams? A. Well, I might have been joking the boys a little about it, but I don't know whether there was ever any row.

Q. They hired Pierce's teams after that? A. Not any more than usual.

Q. Up to that time had there been a team taken out of your stable? A. Not any more than usual.

Q. Is it not a fact that Mr. Pierce was behind with his rent at that time? A. No, sir; Mr. Pierce had my barn rented six years, and I never asked him for the rent in the six years.

Q. Was he not, in October, 1888, behind in his rent two months and a half? A. No, sir.

Q. Is it not a fact that the teams that were employed from that stable during that campaign were by you taken as rent for the stable? A. No, sir.

Q. Did Mr. Pierce receive any money whatever from the committee? A. Yes, sir.

Q. Who paid it to him? A. I think I paid him some money, and Mr. Cooper paid him some.

Q. How much did you pay? A. I could not tell.

Q. Do you know how much Mr. Cooper paid him? A. I do not know; I know we aimed to keep all our bills paid up, and we paid right up every week.

Q. Did you pay them all up that year? A. Yes, sir; I know we got full receipts.

Q. From whom? A. From everybody we done business with.

Q. You, in 1888, were a very radical republican, were you not? A. Yes, sir, I think I was.

Q. You said to Mr. Curtis that you were a member of the republican county central committee? A. Yes, sir.

Q. You knew Mr. Beard? A. Yes, sir.

Q. You knew him long before 1888? A. I could not tell you how long I knew him before that.

Q. Can you tell this Committee where you were on the night of the 11th of October, 1888? A. I could not swear where.

Q. Have you any recollection where you were? A. Kind of a recollection — yes.

Q. You were at republican headquarters that night, were you not? A. No, sir.

Q. Do you remember what day of the week the 11th was? A. I could not tell that; all I know is, there was an excursion to Wichita that day.

Q. How did you know that? A. Some people saw me up there.

Q. Who saw you there? A. Several saw me there.

Q. Who were they? A. Joe Hudson for one.

Q. Are you certain? A. No.

Q. Who else beside Joe? A. I was — I don't know whether it was on the 11th or not, but think it was on the 11th.

Q. Who was the first one who called your attention to the 11th day of October, 1888? A. Three or four around the barn; Ed. Greer for one.

Q. When? A. Last week when I got a subpoena.

Q. Who was present at the time you were talking in there? A. I was present.

Q. Who else? A. I could not just say who was there; there was probably Ed. Greer there, for one.

Q. Who else beside Ed. Greer? A. I don't know.

Q. I want you to tell who they were. A. D. I. Franks, from Dakota.

Q. Who else? A. A man by the name of Hall.

Q. What is his given name? A. I do not know.

Q. Where does Mr. Hall live? A. He is a man staying at the barn, from Nebraska.

Q. Who else was present? A. Berry Scroggins, and old Jimmie Wright, and Sullivan.

Q. What Sullivan? John L. Sullivan? A. I do not know.

Q. Who else? A. Four or five men from Oklahoma; I don't know their names; we were sitting around the office and talking.

Q. Who were talking? A. Me and Ed. Greer.

Q. What time in the day was it? A. I could not tell you.

Q. Was it in the forenoon or afternoon? A. I think it was in the afternoon.

Q. Who was talking with you and Ed. Greer? A. Nobody.

Q. Did you and Ed. step off and talk together? A. No, sir, we did not; we were sitting around the fire, Ed. was getting ready to go away; he just stepped in and said a few words.

Q. Where was he going? A. He was going out buggy-riding.

Q. That was a week ago yesterday, was it not, Mr. Burkhalter? A. Yes, sir.

Q. Up to that time, had you heard of the testimony of Mr. Beard? A. No, sir, I had not.

Q. Who was the first person that informed you as to the statements that Mr. Beard had made upon the witness stand before this Committee? A. Jim Conner and four or five others; I could not tell just who.

Q. Who spoke first about it? A. Well, there were several in the restaurant there, and I was subpoenaed, and they commenced talking about it.

Q. What restaurant were you in? A. Bob Farnsworth's.

Q. Who was present at that time? A. Several there.

Q. Can you now state the name of any person who was present upon that occasion? A. I think Jim Conner was there.

Q. What did Jim Conner say about it? A. I think he was the first man who told me about it.

Q. What did he say? A. He said that "Peanut Jack" was on the stand, and that he said me and Mr. Greer had a very private conversation up there sitting on a wheelbarrow; Ed. was sitting on the wheelbarrow and I was standing up against the wall and leaning over and talking very confidentially about some dynamite shipping and how we could work it.

Q. That was what you said? A. That is what they said I said. I said I didn't see what "Peanut Jack" would tell such stuff as that for, there was not a word of truth in it; then I said, I suppose Jack had told—the business had been talked so much down there about dynamite, and Jack had told that lie so often that he had got to think it was so.

Q. Have you stated all that Mr. Conner said? A. I believe I have.

Q. Now if you were engaged in that dynamite business, I don't suppose you would want to tell it? A. Yes, sir; I would tell.

Q. Who was the next man talked to you about it? A. Why, I believe Ed. P. Greer.

Q. Now, what did Ed. tell you? A. He told me about the same as Conner.

Q. Please relate to this Committee what Ed. told you. A. Well, he said that Mr. Beard had, on the stand, told that me and him had a conversation up there on a wheelbarrow in front of Hendricks & Wilson's store, joining "Peanut's" store—a very confidential conversation one night about 11 o'clock.

Q. Did Ed. ask you if you remembered having such conversation with him? A. I do not think he did; I told him before he had a chance, that we never had such a conversation as that, and I did not see what Mr. Beard wanted to tell such stuff for.

Q. You frequently went to the store of Hendricks & Wilson, did you not, in 1888? A. Not very often; I often passed there.

Q. Well, didn't you stop there and talk? A. I might have stopped.

Q. You do not tell this Committee that you did not stop and have a conversation with Mr. Greer during the month of October, 1888? A. I do not recollect; of course we had a good many.

Q. A good many what? A. A good many talks around.

Q. Do you tell this Committee that you did not have any conversation with Mr. Greer in front of the store of Hendricks & Wilson during the fall of 1888? A. Not that I recollect. To the best of my knowledge I did not have any.

Q. You say positively you had no conversation with Mr. Greer in front of the store of Hendricks & Wilson during the month of October, 1888? A. If I did I have forgotten it.

Q. Are you certain that you were subpoenaed in Bob Farnsworth's restaurant? A. Yes, sir.

Q. You are positive about that, are you? A. Of course he spoke to me in the first place on the corner, and we walked down to Bob's.

Q. Who served the subpoena upon you to appear before this Committee? Is that the gentleman? [pointing to the sergeant at arms.] A. Yes, sir.

Q. Where did he serve the subpoena? A. At Bob Farnsworth's.

Q. When was that? A. It was last Saturday a week.

Q. When did you have your conversation with Mr. Conner with reference to the testimony of Mr. Beard? A. We talked about it three or four different times.

Q. When was the first conversation? A. I could not tell.

Q. Was it before Sunday a week ago? A. We have talked about it three or four different times. I do not know exactly.

Q. When did you have your first conversation? A. I could not tell.

Q. Where was it? A. We talked about it coming up on the train.

Q. Didn't you talk with him before you started for Topeka? A. Yes; of course I did.

Q. You talked with him before you talked with Mr. Greer? A. Yes, sir.

Q. Then when you and Mr. Greer had the talk that you have detailed to the Committee, you did know what Mr. Beard testified to, did you not? A. I knew what Mr. Beard testified to before Mr. Greer saw me.

Q. If that was true, Mr. Burkhalter, why is it that you have stated to this Committee that at the time you and Mr. Greer had this conversation you did not know what Mr. Beard had testified to before this Committee? A. I didn't say any thing of that kind.

Q. Then if you knew what Mr. Beard had testified to at the time that you had the conversation with Mr. Greer, why was it that you had him to enter into the details as to the testimony of Mr. Beard? A. I did not have him enter into the details.

Q. Who commenced the conversation—you, or Mr. Greer? A. I did.

Q. What did you first say to him? A. I asked him if that was so, what Peanut said up there on the stand about me and him.

Q. That is all you said? A. No; I don't know whether that is all I said, or not.

Q. What did Ed. say? A. Ed. said, "Yes."

Q. That what Mr. Beard said was true? A. He said "Yes," and I said, "That cannot be."

Q. Upon what street do you reside in Winfield? A. Manning street.

Q. Where with reference to Tenth street? A. South of Tenth.

Q. You were a frequent visitor at republican headquarters during the fall of 1888, were you not? A. Yes, sir.

Q. Where were the republican headquarters at that time? that is, give the street and name of the building. A. It was on Ninth avenue, on the south side of the street, corner Church and Manning, in the building known as Thompson building.

Q. In going home, you usually went west on Ninth street to Main, and then south to Tenth street, did you not? A. Yes, sir.

Q. Your residence, as you stated, was south of Tenth street, on Ninth? A. Yes, sir.

Q. You often have been at republican headquarters at a late hour of the night, have you not? A. Not very often.

Q. Occasionally? A. I do not think there was one night after eleven o'clock at night that I was there; I made it a rule to go home at about nine or half-past.

Q. Do you tell this Committee you went home every night when you were a member of the republican central committee, at nine o'clock, or even half-past nine? A. I think I would be safe in saying that.

Q. Is it not a fact that you have often been at republican headquarters as late as twelve o'clock at night, or on one or two occasions during the campaign? A. None, unless election night.

Q. None but that? A. Yes, sir.

Q. Prior to the night of the election, do you wish to be understood as saying to this Committee, that you went home every night as early as half-past nine? A. I generally make it a rule to go home about that time; I live up to my rules pretty close.

Q. Are you swearing by your rule or by your recollection of what did occur?
A. I am swearing by my rule.

Q. You don't remember, then, every night, just when you did go home? A. I would rather swear by my rule than my recollection four or five years back.

By Mr. Senn: Q. You stated in your testimony that you supposed Peanut Jack had told this story so often that he had gotten to believe it himself? A. I told some of the boys that.

Q. Now, do you mean to say that he had told this story very often before?
A. Yes, I do.

Q. Had been common talk down there? A. I heard since he got on the stand here that he had been telling a good many 'round down there; I never heard it before.

Q. You never heard it before? A. No, sir.

Q. What you stated in this answer would certainly imply that he must have told it before, otherwise you would not have used this language? A. Since you have spoken, why this Mr. Applegate, he lives across the street from my barn; and he was the one who told me about him telling this on the stand, and he said that when Peanut Jack told him, he told him not to say anything about it. He told him to keep it secret, but he found that he had told a dozen; he was keeping it as a secret until he found he had told so many others.

Q. Did you hear of it before? A. I never heard a word of it until after he had told it on the stand; I had been up to his place to buy cigars, and one thing another, and I never heard anything about it.

Q. If a man had told a certain story that was not true so often that he would believe it himself, it would necessarily imply that he had told it a good many times, would it not? A. I have seen men just that way.

By Mr. Carey: Q. When did he tell that — before or after with reference to giving his testimony? A. I do not know when he told it; when all the boys heard that he had made the statement on the witness stand.

Q. Did he tell this so often that he might have believed it after he gave the testimony? A. I said, when they came in and told me this, "Peanut Jack has told this so often that he thinks it is true."

Q. When did he say it? A. I do not know.

Q. Whether he told this before or after? A. I do not.

Q. He said in substance he told it after? A. Why, I say he told this on the stand, and afterwards repeated it so often that he thought it was true, that he said it is a fact.

Q. Is it not a fact that this had been told in Winfield previous to the time of his giving his testimony? A. Of course it has been told.

Q. You knew, then, that Mr. Beard intended to testify that he had told all this conversation that you and Mr. Greer should have had? A. No, sir.

Q. Why was it that you said he had told it so often that he thought it was true? A. The boys would come and joke me, you know, and say, "They are going to have you up there at Topeka," and that Mr. Beard had told So-and-so up there, and I would say, "He has told that so often he thinks it is true."

Q. Now then, you have three times evaded my question, and then came right around to the same point that brought out my question; you say over again that you said to the boys that he had told that so often that he thought it was true; you refer then, do you not, to the testimony he gave on this stand? A. I do not know whether I was referring to the testimony or not.

Q. If you say you were not referring to the testimony, what were you referring to? Now the point is right here — you testified to this fact — that when you were told

about his testimony, you said that he had told it so often that he believes it is true; is not that your statement? A. I did not say that the first time I heard it.

Q. When did you say it? A. I said it after I heard it—a day or two afterwards.

Q. You said it after he gave the testimony, did you not? A. Yes, sir.

Q. In order to get the application of your testimony, is it not absolutely necessary that Mr. Beard should have made this statement to your knowledge previous to the time of giving his testimony? A. No; it is not necessary, that I know of.

Q. Now the fact of the case is this: you have got wonderfully mixed up in this, and your testimony is conflicting. A. Well, he never said anything to me, anyway.

By Mr. Henderson: Q. You said, I believe, that Mr. Conner was the first person who informed you as to the testimony of Mr. Beard? A. I believe I did.

Q. Now, I will ask you if it is not a fact that in that conversation Mr. Conner told you that immediately after the explosion at Coffeyville that Mr. Beard had told him the conversation that you and Mr. Greer had on the night of the 11th of October, 1888? A. He never told me that until after I was subpoenaed.

Q. Well, he told you that, did he not? A. Yes, sir.

Q. Did he tell you, in that same conversation, the advice he had given Mr. Beard: that is, to keep quiet and say nothing about it? Did Mr. Conner tell you that? A. I think he did.

By Mr. Carey: Q. Has Mr. Beard been in Winfield since he gave his testimony? A. Not that I know of.

By Mr. Curtis: Q. Did you say at first to Mr. Conner that Beard had told this story so often that he believed it was true, or that you reckoned he had told it so often he believed it was true? A. I said he had told it so often he believed it was so; just in a joking manner. I never thought anything about it except when we were talking about it.

Q. Now, is it not a fact that you made such replies to Mr. Conner and others because they were saying that Mr. Beard had given such testimony upon the stand here? A. Yes, sir.

Q. I understood you to say, upon cross-examination, that you asked Ed. Greer if what Beard said up here was true. By that question did you mean to ask him if it was true that Beard had given such evidence, or what he said was true? Which did you mean? A. I wanted to know whether he had gone on the stand and said what he did; that is what I meant when I said that.

Q. I will ask you to state if you had ever heard of what it is supposed that Mr. Beard testified to here on the stand, before the witnesses Mr. Applegate and others had returned from the city of Topeka, after Mr. Beard had testified? A. I never had.

Q. I will ask you to state if it is a matter of fact, if you heard what Mr. Beard did swear to from quite a number after they returned to Winfield? A. Yes, sir; they all told me.

Q. Is it also not a fact, in answer to what they said to you, that in answer to why he should give such evidence, that you jokingly replied that you guessed he had told it so often that he believed it was true? A. That is what I meant, yes, sir.

By Mr. Crumley: Q. Did you ever hear of him telling it at any time except on the stand? A. After the witness had said on the stand what he did, I told Mr. Conner. For a long time I could not tell why he was so friendly to me, and he said he wanted to see whether he could find out anything about what Mr. Beard had told about me having conversation with Mr. Greer.

By Mr. Senn: Q. Then when you said this about Mr. Beard having told this story so often, you were only joking? A. Yes, sir, that was all.

Q. You forgot that you were under oath? A. No, sir; I was telling what I said to the boys.

By Mr. Curtis: Q. Do you know whether or not you went upon the excursion to Wichita in October? A. There was two excursions pretty near together; I went on one of them—I don't remember which one.

By Mr. Henderson: Q. Do you remember how long you stayed in Wichita when you went up there on that excursion? A. I think I stayed one day.

Q. You remember when you came home—what time in the day? A. Well, it was after dark when we started.

Q. Do you remember whether you went directly home, or went to headquarters? A. I went directly home.

Q. And then you went to headquarters? A. No, sir; I did not.

Witness was excused.

A. D. HENDRICKS, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Curtis: Q. You may state your name to the Committee. A. A. D. Hendricks.

Q. Where do you reside? A. Winfield, Kansas.

Q. How long have you lived in Winfield? A. Twelve years about the 10th of March.

Q. What was your business in the month of October, 1888? A. I was in the hardware business.

Q. What was the style of the firm? A. Hendricks & Wilson.

Q. In the month of October, 1888, where did you do business with reference to the place of business of Volney Beard? A. The first door south of Mr. Beard's.

Q. State how your building was situated; that is, the one he occupied, and the one you occupied. A. The buildings joined each other, I think, almost. One was a frame; ours was a brick building. Mr. Beard's was a frame, and I think the frame joined up to the brick wall, although there might have been a space of twelve inches between the two.

Q. What business were you engaged in during the month of October, 1888? A. In the hardware business.

Q. During that month what were your hours for closing your place of business? A. We usually closed about nine o'clock.

Q. I will ask you to state if you kept wheelbarrows and things of that kind for sale? A. We did.

Q. Did you during the month of October, 1888, exhibit on the sidewalk, or place on the sidewalk, wheelbarrows and other material that you had for sale? A. We did.

Q. State to the Committee upon which side of your building you place your wheelbarrows. A. On the south side of the door; the building fronted east, and the wheelbarrows were on the south side of the door.

Q. Did you ever put them on the north side of the door, next to Beard's? A. I do not remember; it may be possible—it might have been.

Q. How late in the evening did you leave the wheelbarrows and other things which you put out in front of the store? A. We usually took them in from sundown to dark, my partner and I; one opened the store and the other closed; and we usually both of us took in the signs from the front door from sundown to dark.

Q. I will ask you to state if during the month of October, 1888, you left out in front of your store upon any night a wheelbarrow, as late as eleven o'clock. A. If we did it was by mistake; was overlooked in taking in.

Q. I will ask you to state if during the month of October, 1888, yourself, your partner and Mr. Cooper and Mr. Greer were out in front of your place of business sitting upon wheelbarrows and talking with each other about the politics of your county about eleven o'clock at night? A. No, sir.

Q. Were you during the month of October, 1888, talking politics with Mr. Cooper and Mr. Greer and your partner after dark? A. No, sir.

Q. You may state to this committee, if at any time during the month of October, 1888, about eleven o'clock at night, Jim Cooper, Ed. Greer, yourself and partner were in front of your place of business talking together about politics, or upon any other subject. Mr. Greer was sitting in a wheelbarrow, and Mr. Sol. Burkhalter came up, and then yourself and your partner and Mr. Cooper went away and left Sol. Burkhalter and Mr. Greer there in front of your place of business, and in front of Mr. Beard's? A. I do not remember anything about it; I only remember one conversation that ever occurred there.

Q. Do you ever remember about any conversation, about eleven o'clock at night, occurring in front of your place of business, in which Mr. Greer and Mr. Cooper were present, and you were seated in wheelbarrows, on grindstones, half-bushels, well-buckets and boxes in front of your store? A. There was no such conversation.

Q. I will ask you to state if you do remember at any time when Mr. Cooper, Mr. Greer, yourself and your partner were present, in front of your place of business, in which you all four had a conversation? A. Yes, sir.

Q. When was that, and what time of the evening? A. I cannot state as to dates; only as to circumstances.

Q. Well, just give the circumstances. A. It was on the evening of what has been called the first expose of the Videttes; it was about four o'clock in the latter part of the afternoon, before the issue of the paper; Mr. Greer and Mr. Cooper had been standing out there and talking in front of the curbstone, which was just a little north of our door. I walked out, and Mr. Greer says, "We have something good for you this evening." I am giving the conversation, in substance, as near as I can remember. I do not remember for certain whether my partner was present at the time or not; Mr. Greer says, "We have something good for you to-night," and I asked him, "What is it?" and he says, "We have got onto the whole racket," as near as I can remember; and some one of us insisted on his telling us what it was, and says he, "You will get it in the paper to-night." He gave us to understand that he got into the secrets of what has been spoken of in the court room as the secret order of Videttes, and we or I said, "What does it amount to?" He said, "You will get it this evening from the paper," and some of us, I have forgotten who it was, rather insisted on his telling us what was in it, and he just simply remarked, "You will get it in the paper this evening."

Q. Was Sol. there during that conversation? A. I do not think he was there.

Q. Did he come up afterwards? A. I do not think he did.

Q. Now do you remember of any other conversation occurring in front of your store at which Mr. Greer and Mr. Cooper were both present, and yourself? A. I do not remember of any other conversation. Mr. Greer hardly ever came into our store at that time; I do not remember of any other conversation occurring.

Q. I will ask you to state if at any time during the month of October, 1888, you left your grindstones, half-bushels, well-buckets, and wheelbarrows out in front of your store as late as eleven o'clock at night? A. We invariably took everything in except the grindstones.

Q. Did you have these things that I have spoken of out at eleven o'clock at night, and then take them in after that hour? A. No, sir.

Q. Did you ever have these articles out that I have mentioned, wheelbarrow, well-

buckets and boxes as late as ten o'clock at night, in the month of October, 1888? A. I might, possibly; I would not say about October or any particular month, for we possibly might have had them out as late as that through mistake, but it was usually our custom to take them in between sundown and dark.

Q. How long have you known Mr. Burkhalter? A. I think I have known him almost ever since I have been in Winfield, nearly twelve years; I am not positive.

Q. What has been his business down there? A. He has been engaged most of the time in the livery business.

Q. How well acquainted have you been with him? A. We have always been friends; you might say intimate friends.

Q. You may state to the Committee what your politics were in 1888? A. I was a republican.

Q. State if you took any part in the campaign of 1888? A. I took no active part in the campaign.

Q. How well acquainted with Mr. Greer were you at that time? A. I was very well acquainted; I had known him ever since I had been in Winfield.

Q. What were your relations with him at that time? A. My relations with him at that time were very pleasant; we have always been very friendly, I will state here, with one exception: I do not remember whether it was the fall of 1888, or not, if it was not, it was previous to that time, not a great while, Mr. Greer and myself had a little spat, as you might call it, about the position he had taken on the prohibition question, but it did not amount to anything.

Q. You were working with him, were you not, among other republicans, in 1888? A. Yes, sir.

By Judge Webb: Q. You say the building you occupied in the fall of 1888 was a brick building? A. Yes, sir.

Q. Fronted to the east? A. Yes, sir.

Q. What was the width of the building? A. The width of that building was either twenty-one and a half or twenty-two and a half feet, I don't remember which.

Q. Beard occupied a wooden building immediately north of you? A. Yes, sir.

Q. Do you remember its width? A. The width of Mr. Beard's building:

Q. Yes, sir. A. I do not.

Q. What was the character of the windows in the front of it; large or small, I mean? A. I do not know that I can remember the character of the windows that were there in 1888.

Q. Do you remember if they were hung on weights? A. I could not say; there have been several changes made since that time.

Q. Your business, as I understand it, was an ordinary hardware business: A. Yes, sir, hardware, stoves, and tinware.

Q. What was Beard's business? A. He had a lunch stand—tobacco, cigars, etc.

Q. State whether the location of your two houses, yourself and Mr. Beard's, were somewhat central in town? A. They were, yes, sir.

Q. Was it not a place where men often assembled for the purpose of discussing the topics of the day? A. Well, I do not think it was any more than any other point in town.

Q. Beard kept a sort of a peanut stand connected with his restaurant? A. It was a lunch counter.

Q. Was that a place where people frequently gathered together for briefer or longer periods of time? A. Well, there were more or less people there; I do not think it would be called a place of resort.

Q. You were in the habit of closing your business house early in the evening? A. We usually closed about 9 o'clock.

Q. And then what was your habit as to going directly to your home or elsewhere?
A. Generally went directly home.

Q. Who shut their places of business earlier in the evening — you and your partner, or Mr. Beard? A. Well, I rather think that Mr. Beard kept open a little later than we did.

Q. If, when you closed your doors you went home, you do not know how long he kept open after that? A. No, sir; I do not.

Q. Nor whether, after you had gone from your place of business, persons gathered at the peanut stand or restaurant, and spent some time, you do not know? A. I could not say positively; as I said before, it was not considered a place of resort for general congregation. There were people who went in and got a lunch, but it was not generally looked upon as a place of resort for loafers.

Q. You didn't regard Ed. Greer as a loafer, did you? A. No, sir.

Q. Is it not a fact that people frequently met there, and stayed and leaned against the porch in front of the building conversing? A. Not any more so than corresponding places located as that was to the business part of town.

Q. Do you remember ever to have seen Mr. Greer there? A. Only as spoken of in my testimony before.

Q. Do you remember of ever seeing Burkhalter there? A. No, sir; I do not.

Q. Do you remember of ever having seen Cooper there? A. Only as spoken of in my testimony.

Q. Do you remember of seeing Mr. Frey there? A. No, sir; I do not remember.

Q. Do you remember of ever having seen Ben. Henderson there? A. No, sir.

Q. Do you remember anybody that you did see there, other than you have already mentioned? A. I do not.

Q. The fact as to whether persons did assemble and converse together, you do not know? A. Why, I cannot say I do not know; I can say they occasionally assembled there as much as they did at other places correspondingly located as that was.

Q. Do you know where Mr. Burkhalter then resided? A. I think he lived on the corner of Manning and Twelfth streets.

Q. Do you know where the republican headquarters were? A. Yes, sir.

Q. Do you know whether your place of business was between republican headquarters and Burkhalter's home? A. It would be considered that way — yes, sir.

Q. To go from the meeting of the committee of which he was a member, to his own residence, to go right by your place and Beard's would be no unusual thing, would it? A. No, sir.

Q. But whether he met Greer there when he was going from republican headquarters home, after you had closed the store and gone away, you do not know? A. I do not — no, sir.

Q. You say that it was customary for you to take inside of your business house those things which you had as exhibits out in the business hours of the day? A. Yes, sir.

Q. Did that before going home? A. Yes, sir.

Q. During the day and early part of the evening what things did you have in front of your place — what various articles? A. Well, we had wheelbarrows — I think we only had one; usually kept one, sometimes two — and we had forks, and rakes, and spades, shovels, hose-reels, etc.

Q. Well-buckets? A. Yes, sir, and well-buckets. Sometimes we would change the articles from one thing to another, but that was the usual exhibit we had out.

Q. Were there any boxes of various sizes standing in front of your place on the walk — not continuous, but frequently? A. Why, there perhaps would be during the

daytime; there would be boxes of goods come in, but they were taken in during the night, for they were boxes of merchandise.

Q. Well, empty boxes? A. I do not remember.

Q. Were there any things out there? A. I don't think there were.

Q. Were there any in front of Beard's place of business? A. I do not remember of anything; of course I do not remember that part, particularly.

Q. You don't remember to have been with your partner at your place of business, and immediately in front thereof, at any time as late as 10 o'clock at night, do you? A. No, sir; I might have been with my partner that late.

Q. Not what might have been; do you remember you were? A. I do not remember that I was.

Q. But you say that you were not at any time? A. I do not say that.

Q. Do you remember to have seen Greer and Burkhalter out there together at any time? A. No, sir.

Q. Are you willing to say they were never together there? A. No, sir, I am not.

Q. Why? A. Because I do not know whether they were or not.

Q. Do you remember of having seen Mr. Greer and Mr. Cooper there together? A. I do.

Q. That was in the afternoon before dark? A. Yes, sir.

Q. Your recollection is about the hour of 4 o'clock? A. About that time; it was previous to the issue of the paper.

Q. Did you hear any conversation between them? A. Yes, sir.

Q. What was the subject of it? A. The subject of the conversation was that Mr. Greer said, "We have got a good thing for you to-night," and some one said—I am not positive whether it was myself or some one else; Mr. Wilson, my partner, was there—we asked him what it was? (I am giving in substance the conversation.) He said, "We have got on to the entire secret of the Videttes," and some of us insisted on his telling us what it was, and he said, "You will get it in the paper to-night."

Q. Is that all that transpired as you now remember? A. The topic of conversation was not that alone. The political campaign was pretty hot at that time, and of course we were all interested; all of us being republicans, we were interested in the campaign.

Q. Have you related what was said there, as near as you now remember it? A. I think I have related, as near as I can remember now, the topic of conversation. We were talking that evening; at that time they spoke of the contest or fight between two papers, the *Non-Conformist* and the *Courier*, which was pretty hot, and some of us spoke that evening of there being some danger as to Mr. Greer's office, but I do not remember now as to the exact conversation that occurred that afternoon.

Q. Do you remember that the subject of the danger of Greer's office was mentioned there at that time? A. I think it was.

Q. By whom? A. I think it was Mr. Wilson, my partner; I would not be positive.

Q. Do you remember what he said about it? A. I think that Mr. Wilson asked Mr. Greer if he was fully insured; I do not remember what Mr. Greer's reply was.

Q. Do you remember anything having been said beyond the mere inquiry as to the fullness of insurance? A. Why, the general conversation was on that line; I do not know that I can remember now as to the exact language; it was kind of a running conversation, that a person would pay no attention to. Of course we were all interested in Mr. Greer's safety at that time, and we felt considerable uneasiness as his friends.

Q. What was it that had awakened that alarm? A. From some threats that had been made on the street.

Q. By whom were they made? A. I could not say.

Q. Did you know Mr. Henry Vincent at that time? A. I was not personally acquainted with him; I do not think I even knew him by sight at that time.

Q. Did you know his brothers? A. I do not think I knew either of them by sight at that time, although after having them pointed out to me I remembered of having seen them.

Q. You knew them as editors of the *Non-Conformist*? A. I knew them as editors of the *Non-Conformist* from the heading of the paper.

Q. Political strife was considerably worked up then, was it not? A. It was pretty hot — yes, sir.

Q. There were frequent gatherings of the associates of either party, but you can speak particularly of the republican party. Were there frequent gatherings of the active men of that party for the purpose of discussion? A. Yes, sir.

Q. Were all the plans and arrangements, so far as you know, made public; would you know as a political manipulator? A. I do not know anything about the secret arrangements of the party, as I was not actively engaged in politics that fall.

Q. You were in the habit of attending the meetings of the county central committee? A. No, sir.

Q. Do you remember the day upon which the event transpired of which you have mentioned, of the conversation of Mr. Greer in the after part of the day at your place of business? Do you remember on what day it was? A. I do not remember as to dates; only as to circumstances.

Q. I think you said it was on the day of the first expose? A. Yes, sir.

Q. Did you hear Mr. Greer at that time state anything as to his purpose to go away from Winfield on a business trip? A. I did not, that I remember of.

Q. Do you know whether he did go, immediately thereafter. A. I do not.

Q. Do you remember where you next saw him after that occasion? A. I do not; Mr. Greer very seldom came to my place of business, and I did not go out to talk politics.

Q. Are you certain now whether the little disagreement that at some time existed between yourself and Mr. Greer was before or after the time you had the conversation mentioned there? A. I could not say positively as to that; I think it was before the campaign of 1888. I would say, however, that our disagreement was adjusted amicably before we separated. It was in our store.

Q. Were you a general reader of Mr. Greer's paper? A. Yes, sir.

Q. Had been before that time? A. I have been taking it ever since I have been in Winfield, I believe.

Q. Do you know about the date, or time, the *Non-Conformist* was established in your city? A. I do not believe I could give the year just now.

Q. Are you aware of the fact that between the editors of the respective sheets, the *Courier* and the *Non-Conformist*, a spirited political contest was going on all the time? A. Yes, sir.

Q. Now I want to ask you if it was a common thing with Greer and his particular friends to denounce the Vincents as anarchists, continually and during every campaign? A. They were looked upon by a great many people of Winfield as belonging to that class of people.

Q. Did Mr. Greer and his friends accuse them of being? A. I think they did, in their paper.

Q. I will ask you if all these people that looked upon them in that way were not radical republicans that were urged on by the editors of the *Courier*? A. I think not altogether.

Q. Tell me somebody else. A. By the parties having read the *Non-Conformist*,

and the views expressed in its columns, and the characters to some extent at the head of its paper were looked upon by a great many; I do not know as I can call any names as being of anarchistic doctrine and sentiments.

Q. And it was so proclaimed through the columns of the *Courier*? A. To some extent.

Q. And was proclaimed by Hackney upon the stump? A. By all, except those belonging to their own party.

Q. It was the organized purpose of those not belonging to their own party to charge them with being anarchists? A. Not a combined organization.

Q. A combined effort was made in that direction, was there not? A. Not that I know of.

Q. Did you charge them in that way? A. I did in my mind; yes, sir.

Q. You told it to people when you talked with them? A. I believed at the time that they belonged to that class.

Q. You did not know the men? A. No, sir; I did not know the men.

Q. Had no knowledge of a single act of their lives that was not in accordance with good citizenship? A. Only what I read in their paper.

By Mr. Curtis: Q. What did you read in their paper, to cause you to entertain such an idea? A. It was the general sentiment of the paper that indicated to me that they were, from my standpoint, anarchists, and held to that doctrine.

By Mr. Senn: Q. What do you mean by anarchists? A. Well, there has been a good many definitions. It is one who disregards the law a great deal; or, if they cannot have things just as they want them, would like to tear things up.

Q. How, tear up by violent means? A. Civil, if possible; violent, if not.

Q. You would call a party an anarchist, that would try by civil means to change the laws? A. I mean by an anarchist one who, if he cannot change the form of government by civil means, would do it by force. By what is commonly known in our papers as similar to the Haymarket affair.

Q. Do you mean to say that you were satisfied from reading the *Non-Conformist* that they advocated such means, or that you knew from any other facts? A. They did in their paper, and in my estimation they did.

Q. Do you base your assumption upon anything you actually read yourself? A. Yes, sir.

Q. Well, then, you certainly ought to be able to tell what they were? A. They were very largely in sympathy with the parties hung at Chicago.

Q. They did not do anything like that in the campaign of 1888? A. I do not remember whether they did during the campaign of 1888, or not.

Q. And you do not know of any acts they ever did themselves that would carry out that idea? A. Their personal acts?

Q. Yes, sir. A. No, sir; just from the doctrines found in their paper.

Q. And all you based your belief upon was that they indorsed as you say, or rather did not indorse the hanging of the anarchists at Chicago? A. Yes, sir; they did not indorse the hanging of the anarchists at Chicago.

Q. Do you know that the majority of the lawyers in Chicago signed a petition or paper, or a remonstrance to the same effect, that in their opinion that was not a fair and legal trial? A. I think I read something of that kind in the paper; I am not positive.

Q. And yet you say that because the *Non-Conformist* did not approve of the hanging of the anarchists, that you were justified in calling them anarchists? A. I do not mean to say that I called them anarchists.

Q. What was it you did say? A. I did not mean to say that if I did. I said that

the sentiment expressed in that paper seemed to be in sympathy with that class of people.

Q. That was simply because they did what the majority of lawyers of Chicago did? A. I think there was not a majority of the lawyers signed that paper.

Q. Would it be your habit, or were you ever there with a group of men in front of your store talking, sitting on wheelbarrows or other articles, and it was the time of closing your store, or the time of taking these articles in—would you be apt to disturb them, or would you wait until they got through? A. I would request them to get up, and I would take them in.

By Judge Webb: Q. Did you read in the *Non-Conformist* at any time an editorial which justified the violence that was exercised by some one at the Haymarket? A. I do not remember that I did.

Q. Did you read anything there except a criticism upon the sufficiency of the evidence upon which a verdict of guilt was obtained, and the refusal of the court to set the verdict aside? A. I do not remember just what I did read now, it being some time ago. At the time of reading it it sounded like pretty strong language so far as good government is concerned.

Q. Did you make up your mind upon the extracts from the *Non-Conformist* which were published in the *Courier*, and the *Courier* comments upon them? A. No, sir; I saw a little matter before that.

By Mr. Curtis: Q. I will ask you to state if you remember of reading in their paper, the *Non-Conformist*, that the hanging of the anarchists in Chicago was legal murder, or words to that effect. A. There was something to that effect published in that paper; I do not remember whether it was an editorial or an extract.

Q. I will ask you to state if you remember of reading the heading of their paper upon which there was a hand pointing to a ballot, and also to a drawn sword, and headed, "Take Your Choice." A. Yes, sir.

Q. That was at the head of the *Non-Conformist*? A. Yes, sir.

By Judge Webb: Q. Do you know that that was the figure used by Mr. Lincoln in his message? A. I do not remember of it.

The witness was excused.

Committee adjourned to meet the following morning at 10 o'clock.

TUESDAY, March 10, 1891—10 o'clock A. M.

Committee convened pursuant to adjournment; a quorum present, and the further taking of the testimony was proceeded with.

R. S. Wilson, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Curtis: Q. You may state your name to the Committee. A. R. S. Wilson.

Q. Where do you reside? A. Winfield, Kansas.

Q. How long have you been living in Winfield, Kansas? A. Twelve years to-day.

Q. What was your business in 1888? A. I was in the hardware business.

Q. Who was your partner? A. Mr. A. D. Hendricks.

Q. State to the Committee where your business house was situated. A. Between Ninth and Tenth avenues on Main street.

Q. Do you know Mr. Volney Beard? Yes, sir.

Q. Where was his place of business with reference to yours? A. First door north?

Q. You may state whether or not the buildings joined each other. A. They did.

Q. When did you quit business down there? A. In 1889.

Q. In the fall of 1888 how long had you known Volney Beard? A. I presume something like four years.

Q. Do you know E. P. Greer? A. Yes, sir.

Q. How long had you known him in the fall of 1888? A. I had known him ever since I had been in Winfield.

Q. Do you know Sol. Burkhalter? A. Yes, sir.

Q. How long have you known him? A. Twelve years.

Q. Do you know Mr. Cooper, chairman of the county central committee in 1888? A. Yes, sir.

Q. How long had you known him? A. Twelve years.

Q. What were your politics in 1888? A. Republican.

Q. What business were you and Mr. Hendricks engaged in, and what was the style of the firm? A. Hardware business; style of the firm, Hendricks & Wilson.

Q. I will ask you to state if, during the month of October, 1888, you left in front of your place of business wheelbarrows, half-bushels, well-buckets, and boxes, as late as eleven o'clock at night. A. No, sir; I did not.

Q. You may state to the Committee what time you closed your place of business during the month of October, 1888. A. I presume between eight and nine o'clock, usually.

Q. After you closed your place of business did you leave out in front wheelbarrows or a wheelbarrow, half-bushels, well-buckets and boxes? A. Not to my recollection.

Q. Which side of the building in front did you place the wheelbarrows that you had out in front? A. My recollection is, usually on the south side.

Q. That would be the side next to Beard's store? A. The opposite side from him.

Q. I will ask you to state to this committee if, during the month of October, 1888, yourself, your partner, Mr. Hendricks, Mr. Cooper, Mr. E. P. Greer were in front of your place of business until eleven o'clock at night, Ed. sitting in a wheelbarrow leaning over against Mr. Beard's place of business, and yourself, Mr. Hendricks and Mr. Cooper either sitting on buckets, boxes or half-bushels? A. We were not.

Q. I will ask you to state if at any time during the month of October yourself, your partner, Mr. Hendricks, Mr. Cooper, Mr. E. P. Greer, and any others were standing or sitting in front of your place of business, or in front of Mr. Beard's place of business, until eleven o'clock at night, when Mr. Sol. Burkhalter came up and began to talk with Mr. Greer, and then yourself and Mr. Cooper and your partner went away, leaving Mr. Greer there, either sitting in a wheelbarrow or standing in front of your place of business, talking with Mr. Sol. Burkhalter? A. No, sir.

Q. Now you may state to this Committee if at any time in 1888 you had a conversation with Mr. Greer, in which conversation your partner, Cooper, and others were present; if so, state to the Committee what that conversation was, what it was about, and who was present. A. I could not say what time it was; I cannot give any dates. We were talking the same day this expose came out, along in the afternoon.

Q. What expose? A. The Vidette expose. Mr. Greer, Mr. Cooper, Mr. Hendricks, Mr. Soward, and myself were talking in front of our place of business. I asked Mr. Greer what it was, and he says, "You will see in the paper to-night." I talked with him, and after a moment was called into the store.

Q. Now, what time of day did that conversation occur? A. My recollection is it was about four o'clock.

Q. In the afternoon? A. Yes, sir.

Q. You may state to the Committee whether or not you took any active part with the republicans in the fall of 1888? A. I did not.

Q. How long have you known Sol. Burkhalter? A. Twelve years.

Q. What has been his business there, principally? A. Livery business, principally.

Q. Now, I will ask you to state if you had, or heard, any conversation between any persons after the first expose was published by Mr. Greer, with reference to that expose? If so, state to the Committee who they were and what they said, as near as you can. A. I presume I had; I have no recollection of who they were now.

By Mr. Henderson: Q. You have lived in Winfield twelve years? A. Yes, sir.

Q. How long were you in the hardware business? A. Ten years, I believe.

Q. How long were you transacting business in the building which you occupied in October, 1888? A. My recollection is that it was four years.

Q. During the fall of 1888 it was quite a common thing, was it not, for republicans to congregate in front of your place of business after supper? A. I cannot say that it was, any more than any other place.

Q. Do you say that it was not? A. I cannot say that it was.

Q. You do not say that it was not? A. No, sir; I do not.

Q. Do you remember what time in the evening you went home on the 9th of October, 1888? A. I could not say.

Q. Have you any recollection at all as to your whereabouts on the evening of the 9th of October? A. I have not.

Q. Have you any recollection as to who closed the store that evening? A. I think I did myself.

Q. Then if you are able to state that you think you closed the store on the evening of the 9th, are you not able to state to this Committee what you were doing that evening? A. Well, I suppose I was doing the same that evening as any other evening—selling goods up to closing-up time.

Q. Are you able to state the name of any person who was in your place of business that evening? A. I am not.

Q. Are you able to state to this Committee the name of any person or persons who were in front of your place of business that evening? A. No, sir; as I said before, I cannot give any dates.

Q. Are you able to state any conversation that took place on the sidewalk and immediately in front of your store upon that evening, between any person or persons? A. No, sir, I am not.

Q. Do you remember what kind of an evening it was? A. I do not.

Q. Do you remember where you were on the evening of the 10th of October. A. No, sir.

Q. Do you remember who was present in front of your place of business that evening? A. No, sir.

Q. Do you remember where you were on the evening of the 11th of October? A. I do not.

Q. Do you remember whether or not Mr. Greer was there? A. I do not.

Q. You do not pretend to say to this Committee that he was not there, do you? A. No, sir; I do not know.

Q. Did you have one particular place in front of your store where you deposited your wheelbarrows during the day? A. Usually; yes, sir.

Q. You say that was on the south side of the door? A. I do.

Q. Did you have some patent churns on the south side of the door? A. I presume we had.

Q. Was not that the customary place to put them? A. It was.

Q. Is it not a fact that the wheelbarrows were on the north side of the door. A. Not to my recollection.

Q. Do you say that during the month of October there were no wheelbarrows sitting in front and north of the door? A. No, sir; I do not say that.

Q. Is it not a fact that some evening when you were closing your place of business, that such things as well-buckets and boxes were left outside, and Mr. Beard, upon more than one occasion, had taken them into his store after you had left your place of business? A. I think there was once to my recollection; there was something left out, and he took it in.

Q. Do you remember what that was? A. I do not.

By Mr. Curtis: Q. You do tell this Committee that you never, at any time during the month of October, was out in front of your place of business—yourself and partner, Cooper and Ed. Greer—talking between 10 and 11 o'clock at night, when Sol. Burkhalter came up, and you all went away, except Sol. Burkhalter and Mr. Greer, and left them there talking? A. I so stated.

Witness was excused.

R. S. BROWNELL, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Curtis: Q. You may state your name to the Committee? A. R. S. Brownell.

Q. Where do you live? A. Copeland hotel, Topeka.

Q. What is your business? A. Clerk of the hotel.

Q. How long have you been clerk in the Copeland hotel? A. About four years and a half.

Q. Do you know Mr. Greer? A. Yes, sir.

Q. How long have you known him? A. I think Mr. Greer has been a guest of the hotel at different times ever since I came here.

Q. Ask you to state if you have in your possession a record or register of the hotel kept for the month of October, 1888? A. I have—yes, sir.

Q. I will ask you to please turn to that record or register for the date of October 11th, 1888, ask you to state whether or not that record shows the register at the Copeland hotel upon the 11th day of October, 1888? A. [After looking at the register]: It does—yes, sir.

Q. State whether or not the name of E. P. Greer appears in that register. A. It does—yes, sir.

Q. State to the Committee upon what day he registered there, and what time during the day. A. He arrived on the 11th, sometime in the night—I do not remember—I do not know, but sometime after eleven o'clock, for I leave the office at eleven o'clock, and the night clerk takes charge of the office then, and he came in sometime between that and seven in the morning; I am in the office again at seven, and he arrived in the meantime.

Q. What is he registered for? A. He is registered for lodging; he came after supper.

Q. What room was he assigned? A. Room 41.

Q. Are you acquainted with Mr. Greer's signature? A. Yes, sir.

Q. I will ask you to state whether or not it his signature that appears in this register of October the 11th, 1888: E. P. Greer, Winfield, Kansas; lodging, room 41? A. That is; I am positive of that, because he writes the same every time.

Mr. Curtis offered in evidence the record of that day and the entry in the regis-

ter. That part of the register referred to is here marked Exhibit 35, and is as follows:

THE COPELAND.

J. C. GORDON, Owner and Proprietor.

TOPEKA, KANSAS.

[Printed matter.]

THURSDAY, OCTOBER 11, 1888.

Name.	Residence.	Time.	Room.	Remarks.
E. P. Greer.....	Winfield, Kas.....	L.	41	

By Judge Webb: Q. During what hours of the twenty-four were you in charge of the office as clerk? A. From seven in the morning until eleven at night, with the exception of two or three hours in the afternoon.

Q. When retiring from the office at eleven o'clock Greer had not arrived yet at the hotel? A. No, sir.

Q. But upon returning to your duties in the morning, you found him registered as there appears? A. Yes, sir.

Q. About that same time does his name appear elsewhere on the register. A. I have no knowledge; I just looked for that day; it might appear again in a week, and it might not appear for a month.

By Mr. Curtis: Q. Then, I understand, when you returned to the office on the morning of the 12th you found him registered under date of October the 11th? A. Yes, sir; the night before, October the 11th.

The witness was excused from further attendance.

J. A. HUDSON, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Curtis: Q. You may state your name to the Committee.

A. J. A. Hudson.

Q. Where do you live? A. Winfield, Kansas.

Q. How long have you resided at Winfield? A. About twenty years.

Q. Do you know Mr. Greer? A. Yes, sir.

Q. Do you know Sol. Burkhalter? A. Yes, sir.

Q. How long have you known him? A. About ten or twelve years.

Q. During that time where has he lived? A. Winfield.

Q. What business are you engaged in in Winfield? A. Grocery.

Q. What has been Mr. Burkhalter's business in the time he has been in Winfield?

A. Livery business.

Q. I will ask you to state whether or not you remember of any excursion gotten up by the business men of Wichita on the 11th of October, 1888? A. I do.

Q. Did you go to Wichita upon that excursion? A. Yes, sir.

Q. State whether or not Mr. Burkhalter went up on that excursion? A. I do not know as he went up on that excursion; I saw him there that day.

Q. You saw him at Wichita on the 11th day of October, 1888? A. Yes, sir.

Q. Did you see him after you left Wichita? A. I saw him on the train going home.

Q. What train was that? A. It was the evening train.

Q. What time did that train arrive at Winfield? A. 10:20, so the agent told me.

Q. In the day or the night-time? A. Night-time.

Q. 10:20 on the 11th of October, 1888? A. Yes, sir.

Q. You saw Mr. Burkhalter on that train? A. Yes, sir.

Q. You came up on the same train, did you, from Wichita to Winfield? A. Yes, sir.

By Mr. Henderson: Q. When did the agent tell you that the train arrived at Winfield at 10:20? A. Last Sunday evening.

Q. You have no recollection? A. I recollect it was from ten to eleven o'clock; I was not sure, and I asked the agent.

Q. Do you know what time it left Wichita? A. It was after dark, but I do not know the exact time.

Q. Did you leave there before supper? A. No, sir, after supper.

Q. Do you remember where you took supper that evening? A. No, sir, I do not.

Q. Do you remember whether you had any supper at all or not? A. Yes, sir, I do.

Q. Where did you get it? A. I do not remember.

Q. You saw Sol. on the train? A. Yes, sir.

Q. You think that was the 11th of October? A. I know it was.

Q. How many excursions did the business men of Wichita have during the fall of 1888? A. Two.

Q. Do you remember when the other excursion was? A. It was some time after that.

Q. How long after that? A. I should judge in the neighborhood of a month.

Q. Wasn't it before? A. No, sir.

Q. Was one excursion on the 5th and one on the 26th of October? A. No, sir.

Q. Do you remember the day of either excursion? A. I do not know.

Q. Was it on Friday? A. I do not think it was; it was either Wednesday or Thursday.

Q. Did you attend both of them? A. No, sir.

Q. When was your attention first called to the fact that you met Mr. Burkhalter in Wichita on that day? A. My attention was not called to it, only Tom Herrod came to me last Sunday, and asked me if I remembered of going to Wichita on that excursion; I told him I did. He asked me if I remembered who all were on the excursion. I told him I did not think I could tell all, and at that I began to call over names as I could think of them. I called Sol. Burkhalter's name, and he said, "That's all right; you will have to go down to Topeka."

Q. Didn't he suggest the name of Sol.? A. He did not.

Q. Did you call the name of any other gentlemen who were at Wichita on that occasion? A. I did.

Q. Who were they? A. Bob Chettick, and a young man by the name of King.

Q. Is that all that went up on that excursion? A. No, sir.

Q. Do you remember anybody else who went? A. That is all the gentlemen I remember.

Q. Was Ed. Greer up there that day? A. Not to my knowledge.

Q. You didn't see him? A. Not that I remember of.

Q. Did you see Sid. Cure up there that day? A. Not that I remember of.

Q. You think you got home a little after ten o'clock? A. Yes, sir.

Q. How far from the depot to Mr. Greer's place of business at that time? A. From one-half to three-quarters of a mile; nearer three-quarters, I should judge.

Q. Do you know where Sol. lived at that time? A. Yes, sir.

Q. Do you know whether or not when you came up from the depot, you stopped at republican headquarters that night or not? A. No, sir.

Q. Do you tell the Committee you did not? A. I do.

Q. You are now certain that you did not stop there? A. I am.

Q. Do you know where Mr. Burkhalter went when he got off the train? A. I do not.

Q. Do you remember of observing a light at republican headquarters that night? A. I did not.

Q. You had to go by there? A. I did not have to.

Q. You live on Eighth avenue, do you? A. No, sir; I live on Seventh.

Q. Did you walk up town, or did you take a street car? A. I took a street car and rode to Seventh street, and walked home.

Q. Did you not transfer at Ninth? No, sir.

Q. You did not see Sol. after you got off the train? A. Not that I remember of. The witness excused from further attendance.

JOE P. WINTON, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Curtis: Q. You may state your name to the Committee. A. Joe P. Winton.

Q. Where do you live? A. Winfield, Kansas.

Q. How long have you lived at Winfield? A. About six years.

Q. What is your business? A. Business manager of the *Winfield Courier*.

Q. How long have you been business manager of the *Courier*? A. About five years.

Q. Who is the proprietor of the *Courier*? A. Ed. P. Greer.

Q. Then you have been working for Mr. Greer five years? A. *Courier* Printing Company owns the plant now.

Q. Who has charge of it? A. I do.

Q. Who is the president? A. Ed. P. Greer.

Q. What position did you occupy during the month of October, 1888? A. Business manager.

Q. I will ask you to state if you remember of the first expose of the Videttes being published in Mr. Greer's paper, the *Winfield Courier*? A. I do.

Q. State what you know, if anything, of your personal knowledge how he obtained the secret work? A. I do not know how he obtained it.

Q. Did you see Mr. Cooper and Mr. Greer there in the office just before it was published? A. I did.

Q. To whom were they talking? A. When I saw them, I think they were talking with Mr. Henderson.

Q. In the office? A. Yes, sir.

Q. You may state whether or not you saw Mr. Poorman in there at any time? A. I did.

Q. To whom was he talking, and who else was present? A. I cannot remember.

Q. Do you remember about the publication of the second expose? A. Yes, sir.

Q. I will ask you to state to this Committee if you remember of hearing of the explosion at Coffeyville? A. Yes, sir.

Q. When did you first hear of the explosion? A. It was about half-past ten or eleven o'clock on the morning of the 18th, I think.

Q. Do you mean the 18th or 19th? A. The day after; the 19th.

Q. From whom did you hear of it? A. From Deputy Sheriff Clifford and Marshal Cure, of Winfield.

Q. Tell the Committee what they informed you, and what you did. A. I met Marshal Cure and Deputy Sheriff Clifford on the corner of Ninth avenue and Millington street, in Winfield. I had left the office and was going up town to Main street, and I met them on that corner, and the marshal introduced Mr. Clifford to me and said the gentleman was there for the purpose of finding out something about the explosion which had occurred at Coffeyville. I then asked Mr. Clifford if he would give me some of the particulars, and he said he did not have time; that he wanted to go to the sheriff's office and see the sheriff, and that he would give me the particulars

later in the day. I then left him, and went to the Pacific Express office and inquired of the agent if he knew anything about the explosion. He said that he knew of the explosion, but that he did not know how it occurred and could give me no information. I then left the express office and went back to the *Courier* office.

Q. What else did you do after you went to the *Courier* office? A. I think I met Mr. Greer in the editorial room, and told him that an explosion had occurred at Coffeyville.

Q. Had he heard of it prior to that time? A. I could not say.

Q. Did he inform you that he had, or had not? A. He said I had better go out and find out the particulars.

Q. Did you then again go out? A. Yes, sir.

Q. State to the Committee what you did. A. I went to the Adams express office and inquired if they knew anything; they said they did not. I then went to the Wells-Fargo express office and asked the same question, and received the same answer. I then returned to the *Courier* office.

Q. Now, at that time I understood you to tell this Committee that you were the business manager of the *Courier*? A. Yes, sir.

Q. Did you have any other work, and were you in charge of the city department? A. No, sir.

Q. What were you gathering the news for? A. I was gathering it to turn it over to the city editor.

Q. Were you responsible for the paper under Mr. Greer, and for that reason took the interest you did? A. Yes, sir.

Q. Prior to the time you learned of the explosion from Mr. Clifford, had you heard anything about the explosion? A. No, sir.

Q. How much of the time were you around the *Courier* office, during the day, in the month of October, 1888? A. From eight o'clock until ten, eleven or twelve at night.

Q. How often would you be with Mr. Greer? A. Possibly met him three or four times a day.

Q. I will ask you to state if, prior to the 18th day of October, 1888, you had any knowledge, or any information of any kind, or knew of the preparation of a box of dynamite, or other explosive substance, to be delivered to the agent at Coffeyville, or to any other agent, by anyone connected with the *Courier* Publishing Company, or the *Courier* office? A. I did not.

Q. I will ask you to state if, prior to the 18th day of October, you heard that matter discussed in the *Courier* office, or in the republican headquarters, or any other place? A. I did not.

Q. From your business relations with Mr. Greer, would it have been possible for him to be interested in preparing a box of dynamite, or other explosive substance, and have it delivered to the agent at Coffeyville, without your knowledge? A. I do not think it would.

Q. You may state to the Committee whether or not you were present when Mr. Greer received a dispatch from the state central committee, in regard to his coming to Topeka, in regard to publishing the last expose of the Videttes? A. Yes, sir.

Q. Now, what was said when that dispatch was received by Mr. Greer? A. I think he came up in the editorial rooms where I was, and told me to get the forms ready and "let 'er go Gallagher."

Q. Was it published that same day? A. It is my impression that it was.

Q. I will ask you to state whether or not you went to the express office yourself, and of your own motion, expecting to get a box of dynamite, or other explosive substance, on the morning of the 19th? A. I did not.

By Mr. Henderson: Q. What did you go there for? A. To find out the particulars of the explosion at Coffeyville.

Q. Do you know where Mr. Greer was on the 18th day of October, 1888? A. He was at the *Courier* office.

Q. Do you know whether or not he was in Winfield during the night of October 18th, 1888? A. At what time?

Q. At any time during that night? A. I do not remember.

Q. Is it not a fact that he came into Winfield on the morning of the 19th? A. I don't know.

Q. Do you remember what time the Santa Fé train arrived from the north in October, 1888; the morning train I mean? A. No, sir.

Q. Do you remember whether Mr. Greer came in on that train or not, on the morning of October the 19th, 1888? A. I could not say.

Q. Have you any distinct recollection of seeing him in the *Courier* office on the 18th of October? A. Yes, sir.

Q. Is that fact so impressed upon your mind that you cannot be mistaken? A. I think it is.

Q. Do you remember any particular business transaction, about which you and he conversed during that day? A. Yes, sir.

Q. Do you remember what time of the day it was? A. Between four and five o'clock.

Q. Was the time you referred to as the time of the receipt of a certain telegram from Topeka? A. It was that day.

Q. Isn't it a fact that you received that telegram yourself? A. No, sir.

Q. Who told you to go to the express office on the morning of the 19th? A. No one.

Q. What did you go there for? A. To learn if the agent could give me any information in regard to the explosion which had occurred at Coffeyville.

Q. Didn't Mr. Greer send you there? A. No, sir.

Q. How many express offices were there in Winfield at that time? A. Three.

Q. What were they? A. Pacific, Wells-Fargo, and Adams.

Q. Do you know now which of these companies, if either of them, had an office in Coffeyville? A. Yes, sir.

Q. Which one? A. The Pacific.

Q. Any of the others? A. Not that I know positively.

Q. Didn't you go to the Adams office before you did to the Pacific office on the morning of the 19th? A. No, sir.

Q. Were you at the Adams express office at all that morning? A. Yes, sir.

Q. And you went there to make inquiries with reference to the explosion, did you not? A. I did.

Q. Did you not at that time know that the Adams Express Company had no office in Coffeyville? A. I did not.

Q. Did you know that the Wells-Fargo had any office at Coffeyville? A. I did not.

Q. Do you know anything about whether either of the companies had an office in Coffeyville? A. I knew the Pacific had.

Q. You went to all three of the offices that morning, did you not? A. Yes, sir.

Q. You went for the purpose of seeking information, I believe? A. I did.

Q. And now you say to the committee that you did not go there at the solicitation of Mr. Greer? A. I did not.

Q. Did you converse with him before or after you had made your visits to the three express offices in Winfield? A. I visited the Adams and the Wells-Fargo after I had visited the Pacific. When I went to the Pacific office, Mr. Greer knew noth-

ing about it; when I went to the Adams and Wells-Fargo, I presume he did know that I went there.

Q. How many persons were in the Pacific express office when you went in there?
A. I do not remember only two.

Q. Do you remember how many different times you went to the Pacific express office that morning? A. To the best of my knowledge it was only the one time.

Q. Were you not in there twice? A. Not to my recollection.

Q. Is it not a fact that the chairman of the republican county central committee received a telegram on the evening of the 18th of October before ten o'clock, announcing the fact of the explosion at Coffeyville that afternoon? A. Not to my knowledge.

Q. Do you remember whether you were in republican headquarters that night or not? A. I do not.

Q. Were you a frequent visitor to republican headquarters? A. No, sir.

The witness excused from further attendance.

SID. CURE, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

By Mr. Curtis: Q. You may state your name to the Committee. A. S. Cure.

Q. Where do you live? A. Winfield, Kansas.

Q. What is your business? A. I own and operate a stock ranch near town.

Q. What official position did you hold in the city of Winfield during the month of October, 1888? A. Deputy sheriff and city marshal.

Q. How long did you occupy the position of city marshal? A. About two years.

Q. How long were you deputy sheriff? A. I do not remember just how long.

Q. State if at that time, in October, 1888, you were acquainted with Mr. Clifford, deputy sheriff of Montgomery county? A. I met Mr. Clifford once about that time.

Q. At that time did you know the gentleman who has just testified, Mr. Winton?
A. I did.

Q. State to the Committee when, if at any time, you first heard of the explosion at Coffeyville in the month of October, 1888. A. I think it was on the morning of the 19th of October, 1888.

Q. Who informed you of it? Mr. Clifford, deputy sheriff of Montgomery county.

Q. How did you get your information — personally, or by letter, or by dispatch?
A. I met Mr. Clifford on the streets of Winfield.

Q. You may state to the Committee what you and he did after you met him. A. Why, we stayed together some little time.

Q. Did you meet the witness who has just testified, Mr. Winton? A. We did.

Q. State what you did after you met him, and where you met him. A. I gave Mr. Clifford an introduction to Mr. Winton.

Q. Do you remember where you were at the time? A. I do not.

Q. Of course you remember the town? A. I was in Winfield.

Q. About what time in the morning was it? A. It was sometime in the forenoon.

Q. State to the Committee what steps you took with Mr. Clifford, after you introduced him to Mr. Winton, in reference to the box, or in trying to ascertain who had delivered the box to the agent at Coffeyville. A. Well, I do not remember just what we did.

Q. What did Mr. Winton do when you introduced him to Mr. Clifford, and informed him of the explosion at Coffeyville, that is, when Mr. Clifford informed him?
A. I do not know.

Q. Did you hear what was said between them? A. I suppose I did, but I do not remember.

Q. Did he ask Mr. Clifford to relate to him what the circumstances were? A. I think he did.

Q. Did Mr. Clifford relate them to him? A. I think so.

Q. And all of them there at that time? A. Yes, sir; that is my recollection.

Q. To refresh your memory, did he not say that he would see him later up town; that he was in a hurry; that he would give him the facts up town in time for the paper? A. I think there was some such conversation as that.

Q. Did Mr. Winton inform either of you gentlemen that he had heard of the explosion before, or was that the first he had heard of it? A. I do not think he did.

Q. Well, what was your impression from his actions, whether or not he had heard of it before? A. I do not remember that I paid any particular attention to his actions.

Q. He asked about the matter, did he not? A. He did.

Q. He asked as though seeking information, did he not? A. Yes, sir.

Q. Did he seem interested in the matter? A. Why, yes, sir.

Q. Now I wish you would state to the Committee just what steps you took after this to ascertain who was interested in the depositing or delivering of that box of dynamite or other explosive substance to the agent at Coffeyville, you acting in your official capacity. A. I didn't do much of anything; I turned the matter over to Mr. McLain, my assistant, who was an older officer than I was.

Q. What assistance, if any, did you give after that? A. Why, I looked around town for a man who answered the description Mr. Clifford had given me.

Q. I will ask you to state to this Committee if you rendered all the assistance you could as an officer to ascertain who delivered the box to the agent at Coffeyville. A. I did.

Q. Did you refuse at any time to render assistance in that matter as an officer? A. I did not.

Q. State, from your knowledge, what steps the sheriff of your county and the other officers of your county took to ascertain who had delivered the box to the agent at Coffeyville. A. I do not know what steps the sheriff took.

Q. Well, did they take any? A. I suppose he did.

Q. Did you talk with the sheriff about the matter, or with your under-officers? A. Not directly after the explosion.

Q. I mean at any time afterwards - after the explosion occurred, what steps they took to ascertain who it was delivered the box to the agent at Coffeyville? A. Well, I don't know what steps the sheriff took.

Q. You say that you never refused to render assistance when you were called upon? A. I do.

Q. And you had been, or did afterwards, look and try to find a man who answered the description of the party given by Mr. Clifford? A. I did.

Q. But you placed the matter in the hands of a gentleman who was under you, and was an older and more experienced officer than you? A. I did.

Q. At that time what were your politics? A. I always voted the republican ticket when the men on the ticket suited me.

Q. During the fall did you take any part in the political campaign? A. Why, somewhat.

Q. I will ask you to state if at any time during that fall, or since, you were approached by any person, and requested not to make your best endeavors to try and ascertain who it was that delivered the box to the agent at Coffeyville? A. I was not.

Q. Now, did you make any efforts to find out who the person was to whom the box was consigned at Winfield? A. I did.

Q. State to the Committee what steps you took to ascertain that party or find him? A. I inquired of different ones if they knew of anybody by that name.

Q. Did you find anybody who answered that name? I did not.

Q. What was the closest that you came to it? A. I don't remember.

Q. Did you find or hear of any person by the name of Bouden? A. I might have; if I did, I don't remember.

By Mr. Henderson: Q. Whose suggestion was it that caused you to seek a person by the name of Bouden? A. I don't remember.

Q. Do you remember of having any talk with Mr. Greer on that subject? A. I do not.

Q. Did you have any talk with Mr. Winton upon that subject? A. I might have; if I did, I don't remember it.

Q. Mr. Cure, what was it that you did after Mr. Clifford had introduced this subject to you in attempting to ferret out the person who had deposited the box of dynamite at Coffeyville? Tell the Committee now what you did. A. I made inquiries on the streets of Winfield of different parties.

Q. Do you remember of whom you made the inquiries? A. I do not.

Q. What inquiries did you make? A. Well, I do not know that I can say now.

Q. Can you call to mind any person with whom you conversed on the 19th, in relation to this matter, and the subject about which you conversed? A. I talked with Mr. McLain about it.

Q. When was that with reference to your introduction to Mr. Clifford? A. That was directly after it.

Q. Now, do you remember who you next talked with? A. I do not.

Q. Do you remember whether you sent any telegram that day or not? A. I did not.

Q. Did you have a talk with the sheriff of Cowley county upon the subject? A. I think I did.

Q. When was that with reference to the time you first met Mr. Clifford? A. It was some time after that.

Q. How long after that? A. I do not know.

Q. Do you remember the conversation you had with him? A. I do not.

Q. Do you remember where the conversation was had? A. I do not.

Q. Can you now call to mind anything that was said by you to the sheriff of Cowley county upon this subject? A. That was said by myself?

Q. Yes, sir. A. I think I said to Mr. Conner that it was an outrage, and should be looked up.

Q. Well, what did Mr. Conner say? A. Mr. Conner agreed with me.

Q. Were you a deputy sheriff under him? A. Yes, sir.

Q. When were you appointed deputy? A. I don't remember.

Q. How long were you with Clifford during the 19th day of October? A. Most of the day after meeting him.

Q. You said, I believe, in your examination-in-chief, that you introduced Mr. Clifford to Mr. Winton? A. Yes, sir.

Q. Mr. Winton at that time was not a sheriff or deputy sheriff, was he? A. Not that I know of.

Q. Did you take Mr. Clifford to the sheriff's office while you were with him that day? A. I did not.

Q. Did Mr. Clifford solicit from you any information as to where the sheriff's office was? A. I do not remember whether he did or not.

Q. Do you remember what time he left Winfield? A. It was somewhere near night; I do not remember just what time.

Q. Were you not at the Missouri Pacific depot upon the arrival of the train at 10 o'clock that morning, or the time of its arrival? A. I do not think I was.

Q. To refresh your recollection, I will ask you to state to the Committee, if you were not in the habit of driving to town in the morning in a cart. A. Not at that time.

Q. Well, a buggy then? A. No, sir.

Q. Do you remember whether you had your horse and buggy in town on the morning of the 19th of October? A. I was keeping my horse and buggy there at that time.

Q. Is it not a fact, that you drove down Church street a short time before the arrival of the Missouri Pacific train, hitching your horse near the depot, and on the south side of the railroad, and then went to the depot and remained there until after the arrival of the train? A. No, sir.

Q. Are you positive about that? A. I am.

Q. Is it not a fact that you afterwards learned that the republican county central committee had received a telegram from Coffeyville on the night of the 18th of October in which the explosion was described? A. If they received any such telegram I have no knowledge of it.

Q. Did you not hear that they had received such a telegram? A. I did not.

Q. At no time? A. No, sir.

Q. Did you hear that any persons in Winfield had heard directly by wire the facts of this explosion before midnight of the 18th? A. If I did I have forgotten it.

Q. You cannot now call it to mind? A. No, sir.

Q. You stated, Mr. Cure, that you made inquiries after the man as described by Mr. Clifford; state to the Committee what description he gave you? A. If I remember correctly, he described the man as being a dark-complexioned man of German descent; I think he said he was a man of medium size.

Q. Anything else? A. Not that I remember of.

Q. Was there anything said about his age? A. I think he said he was a middle-aged man, probably forty years old.

Q. Was there anything about his weight? A. I do not think there was.

Q. Now, have you related to the Committee all that he said to you in describing the man who was supposed to have left this box with the agent of the express company at Coffeyville? A. As near as I can remember.

Q. Did he say something to you about the clothing he had on at that time? A. I don't think he did; I don't remember details like lots of men.

Q. You do not think he said anything to you about the kind or character of clothing he had on? A. I presume he did, but I have forgotten the kind of clothing he described.

By Mr. Senn: Q. It seems to me from your manner of testifying, that this explosion at Coffeyville did not make very much of an impression on you—did not seem to work you up at all. You did not take much interest in it? A. I don't get excited over matters.

Q. You did not think it was anything to be excited over at all, or even interested in? A. I thought it was a matter that ought to be looked up.

Q. Were you not afraid from the facts that you knew, or at least from hearsay, that members of the republican party there were implicated in it somewhat; and was not that the reason that you did not seem to want to do anything about it? A. No, sir.

Q. You are sure? A. I am sure of that.

Q. How did it come, then, that in such an important matter, that you would not take any steps hardly, but turned the matter over to a subordinate? A. I took what

steps I could in that direction, but as I said before, Mr. McLain being an older officer than myself, I thought he was more capable to look it up than I was.

Q. Did you stay with him and assist him in finding the guilty parties? A. I did what I could, sir, to find the guilty parties.

Q. What did he do, to your knowledge? A. I do not know what he did.

Q. Then you did not stay with him very much; did you consult with each other what plan to adopt? A. I did.

Q. What plan did you decide upon? A. I do not know that we decided upon any particular plan, any more than to find out what we could in regard to the matter.

Q. Did you have any different plans? Did you divide your labor? A. I did not.

Q. And you say you had heard nothing—no talking about certain parties in town or in your county being connected with this explosion the day before? A. No, sir.

Q. You are sure of that? A. I am sure of that.

By Mr. Curtis: Q. I will ask you to state whether or not you sent a dispatch to Bellaire, Ohio, inquiring about the whereabouts of George W. Poorman, on the 18th day of October, 1888. After that time, you sending the dispatch? A. I did.

Q. At whose request? A. At the request of Ed. P. Greer.

Q. Did you receive a reply to that dispatch? A. I did.

Q. Will ask you to state whether or not it was published in the *Courier*? A. I do not remember whether it was or not.

Q. What information did you receive in reference to whether or not George W. Poorman was in Bellaire, Ohio, on the 18th day of October, 1888? A. My recollection is that the dispatch said that he was.

Q. To whom did you send the dispatch? A. To the officers of the city of Bellaire.

Q. Who answered the dispatch, if you remember? A. I think it was the mayor; I am not positive.

By Mr. Henderson: Q. On the 19th, the citizens of Winfield offered a reward of something like \$2,000 for the capture and conviction of the guilty person or persons, did they not? A. There was a reward offered; I have forgotten the amount.

Q. And also on the following day, did not the governor, John A. Martin, offer a reward of \$500? A. I do not remember whether he did or not.

Q. You knew of this reward when you were seeking the whereabouts of the individuals? A. I did.

Q. Did you ever go outside of Winfield to look after any persons connected with it? A. I did not.

Q. Were you ever in correspondence, by wire or otherwise, with any other officer in the state of Kansas concerning the arrest and conviction of the person who delivered this box? A. I do not think I was.

Q. Then the only communication that you sent was by wire, and that was at the solicitation of Ed. P. Greer? A. I think so.

Q. And that inquiry was concerning the man who had secured and delivered to the republican county central committee of Cowley county the secret work of the order of National Videttes, was it not? A. I did not know at that time who it was furnished the information.

Q. Have you since learned that that is a fact? A. I understand that Mr. Poorman furnished some information.

Q. And that is the man about whom you telegraphed on the 19th? A. That is the man.

Q. And that is the only man? A. I think so.

Q. But you did that, as you stated, at the solicitation of Mr. Greer? A. I think so.

By Mr. Curtis: Q. Now I will ask you to state if that dispatch was not sent be-

cause some people around down there, or the Vincents, had told that Poorman was the man who delivered the box, and Mr. Greer wanted to find out his whereabouts and ascertain the truth of the statement, and requested you as an officer to send a dispatch to the officers of Bellaire, Ohio? A. I did not know at that time that the Vincents charged Poorman with delivering the box, but it was talked on the street.

Q. And that is the reason you sent the dispatch? A. That is the reason I sent the dispatch.

By Mr. Henderson: Q. By whom did you hear that talked? A. I do not remember.

Q. And it is a fact that you also heard it talked around on the streets that day that they were going to hang the Vincents, did you not? A. I never heard anything of that at the time.

Q. Did you afterwards—very soon afterwards? A. If I did, I paid so little attention to it that I do not remember.

Q. Were you not also informed upon the following day that the rope had been secured, and where it had been secreted? A. I never heard any such talk.

The witness was excused.

W. P. HACKNEY, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows. (This is his testimony as taken on a previous day.)

Examined by Mr. Curtis: Q. You may state your name to the Committee. A. W. P. Hackney.

Q. Where do you reside? A. My family reside at Winfield; I reside with them when I go there, but I am in the territory most of the time.

Q. Where was your home in 1888? A. Winfield, Kansas.

Q. Are you acquainted with E. P. Greer? A. Yes, sir.

Q. How long had you known him in 1888? A. I do not know exactly when I became acquainted with him; my impression is, it was in 1874.

Q. What were your politics in 1888? A. I was a republican.

Q. State whether or not you were an active republican in the politics of your county. A. I was until the latter part of July; I was not after that.

Q. Do you know Mr. George W. Poorman? A. I do not know him; I met him once or twice in my office, I think.

Q. Did he at any time consult you about the expose, or the obtaining of the ritual and secret works of the Videttes? A. He did.

Q. State to the Committee what he said, as near as you can. A. He came into my office and told me he had an expose of the Vincents, and the secret work of the organization of a treasonable character, and wanted to know what I wanted to do about it; he thought it would be a benefit to the republican party to use these people up. I told him that I was sick, and was not able to do anything; that they had better see Mr. Cooper, the chairman of the county republican central committee.

Q. Why did you cease to take an active part in the campaign in the latter part of July? A. I had, after leaving the state convention here—I think I went away Friday night, and the following Monday I think it was, or Tuesday—I had what the doctor said was sunstroke, and was prostrated for some time, and was unable to do anything for weeks or months.

Q. I will ask you to state if during the time of your sickness you were in consultation with prominent republicans there. A. Yes, sir; when my condition was such as to permit it.

Q. What relation did you sustain with Mr. Greer at that time? A. Personally, *politically* and professionally, very friendly.

Q. Were you his legal adviser? A. I guess I was his adviser in everything; if there was anything he did not talk to me about I don't know it.

Q. I will ask you to state to the Committee if he at any time talked with you about the Vidette expose. A. I have no recollection of Mr. Greer talking about that until I think it was just before the expose was published in the paper.

Q. You may state to the Committee what was said by him and you upon that occasion as briefly as you can. A. I do not remember very well all that was said; I can only remember it generally, that he was going to publish it. After he had it all set up in his paper he got a telegram to come to Topeka and consult with Mr. Booth, and finding that he was going to publish it, it was decided that he should publish it first, and furnish copies to the various papers at the same time, so that it would come out simultaneously.

Q. Do you remember of hearing of the dynamite explosion at Coffeyville on the 18th of October, 1888? A. I do not remember the date; I remember the circumstances.

Q. How long after the occurrence before you heard of it? A. I have been trying to think since I was subpoenaed day before yesterday; I think it was the next morning.

Q. Did you prior to the explosion ever hear the subject of bringing dynamite or any other explosive substance to Winfield discussed by the republican central committee, or by any member of that committee, or by Mr. E. P. Greer? A. I never did.

Q. Did you ever hear of any plan involving the use or handling or preparation of explosive material by the republicans of that county, the republican central committee, or Mr. Greer? A. I never did.

Q. Or the central committee of the state? A. No, sir.

Q. From your relation and connection with the republican central committee, and the part you had taken in the campaign, would you probably have known if there had been any plan talked of whereby dynamite, or any other explosive substance, was to be brought by the central committee, or by Ed. P. Greer, or C. A. Henrie, to the city of Winfield? A. I do not know Mr. Henrie; I never saw him until since I came in here. I hardly think that so extraordinary a remedy would have been considered by any of these gentlemen without consulting me.

Q. I will ask you to state to the Committee if Mr. Greer and others had taken any part in the preparation of the box of dynamite, or other explosive substance, from your personal and political relations with Mr. Greer at that time, would you likely have known of it? A. I think I would; Mr. Greer would be incapable of doing anything of that kind.

Q. I will ask you to state if you ever heard the subject of dynamite or other explosive substance being talked over by these parties, prior to the time of the explosion? A. Not unless it was in connection with the other fellows.

Q. Who do you mean? A. The union labor party and the anarchists.

Q. Who were known as the anarchists? A. The Vincents and their crowd.

Q. Do you remember of some time after the publication of the red book, having a meeting at the city of Topeka with the governor, Ed. Greer and yourself, in which the propriety of publishing a reply was talked over between you? A. I do not know when the red book was issued; I never saw it until to-day.

Q. I will ask you to state to the Committee, if, in the year 1889, if you remember of having a meeting between yourself and Mr. Greer and Governor Humphrey, in which the propriety of publishing a reply to what had been said and published by the Vincents was discussed? A. I remember of being in the governor's office with Mr. Greer and talking with him; I had forgotten it until I saw a statement in

the paper this morning about it; but I do not know when it was; I should say it was sometime last year.

Q. State, as near as you can, what was said, or what plan, if any, was agreed upon at the time, and how you came to be there. A. I do not know how I came to be there; I have no recollection of coming here for that purpose. I do not know how I happened to be in the governor's office; it was a common thing for me to go to the office. The governor was angry about the charges, and so was Mr. Greer, and the question was discussed as to what should be done. I told the governor that we could not afford to reply to them, neither could we afford to go into court and prosecute them; that a man occupying the position that he did, representing the people of the state of Kansas, could not afford to dip into anything of that kind; his character was sufficient to protect him against charges of that kind among all decent and intelligent people. I think it was agreed at that time that Mr. Greer should go home and either prosecute them or publish a refutation; I am not certain which it was. I know after we got home that myself and the county attorney, and I think my partner, Mr. Asp, discussed the question of arresting them for libel; an indictment was drawn for that purpose, but I think nothing was ever done with it. I was opposed to doing anything. I have had some experience in the libel business, and I never knew anything to come from it; and I think through my influence the thing was dropped. In such cases the jury usually take this view of it; if it is true, it ought to be published, and if it is not true, it can't hurt you.

Q. I will ask you to state if you know from your personal knowledge whether or not Mr. Greer and the officers of your county, that is, the county attorney, the sheriff and under-sheriff, took any steps towards trying to apprehend the party who had left the box with the express agent at Coffeyville? A. I do not recall having had any conversation with the sheriff upon that subject, although I might; he belonged to that crowd. The county attorney—I talked with him about it, and I saw in the paper there was a reward offered, but I do not remember further than that, unless my attention should be called to it.

Q. I will ask you to state what your impression was upon hearing of this explosion, as to why and by whom the box had been left with the express agent at Coffeyville and addressed to parties at Winfield? A. I do not remember that I had any impression.

Q. I will ask you to state if afterwards you formed any opinion upon that matter, and so informed Mr. Greer? A. I did.

Q. What did you inform him, and what was his reply? A. I told him I believed those fellows were intending to send that dynamite to blow up his office, in revenge for his publishing that expose.

Q. Who did you mention? A. That union labor crowd.

Q. What did he say in reply to that? A. I do not remember that he expressed his opinion.

Q. I will ask you to state if he didn't say the Vincent boys, and others there in Winfield, were mean enough to do it? A. Afterwards, I think he said that frequently.

Q. Now I will ask you to state if, after you had investigated the matter, you took any steps toward having Mr. Greer guarded, or watched in any way? A. I advised it.

Q. Who did you advise? A. Captain Soward and others.

Q. Why did you do that, Mr. Hackney? A. Because there was a good deal of bad feeling growing out of the publication of that expose. I was afraid some fellow might do him harm.

Q. Did you consult Mr. Greer upon the subject, or did it get out? A. I both consulted with him, and gave the advice without.

Q. When did you leave Winfield for Oklahoma? A. I opened my office in Okla-

homa on the first of February, 1890; I ceased to have an office in Winfield some three or four months ago; I have not been in Winfield except when I went to see my family since that time, February 1st, 1890.

Q. Is it not a fact that, as an attorney, Mr. Greer solicited you as his attorney, and requested you to draw and prepare for him an information against the Vincents, charging them with a criminal libel, and it was by and through your efforts and solicitation that the Vincents were not prosecuted by Mr. Greer? A. It is a fact.

Q. After these publications by the Vincents, I will ask you to state if you remember of receiving a letter from the Hon. Mr. Danford, of Ohio, in behalf of George W. Poorman, asking your advice about entering a suit for libel against the Vincents in behalf of Mr. Poorman? A. It is a fact that I got a letter. I do not remember the name of the attorney.

Q. What was your reply to that letter? A. I suppose—I do not remember the exact language, but I did not take any stock in that kind of prosecutions, and so advised them, and declined to have anything to do with it.

By Mr. Henderson: Q. You said, Mr. Hackney, that you were legal adviser, friendly adviser, social adviser and political director of Ed. Greer? A. Well, I was his general adviser; if he had anyone closer to him I do not know it.

Q. And you were exceedingly intimate with him, and had been his adviser professionally for many years? A. Yes, sir; I do not know when it commenced.

Q. And that being the case, you advised him not to prosecute the Vincents for criminal libel? A. Yes, sir.

Q. You spoke of Vincents and their outfit; by that you have reference to the union labor party of 1888, do you? A. Yes, sir.

Q. Where did the Vincents have their office and do their business in 1888, or that part of the year of the campaign? A. I do not know now.

Q. Was it in your building? A. It was in my building some time. I do not remember when they came in; they would remember better than I would.

Q. Did they go in in June, 1888, and remain until March, 1889. A. If I had to be shot I could not tell.

Q. Well, they were in the building? A. I know they were there in my building, and were there a long time.

Q. You had an office in the same building? A. Yes, sir.

Q. You were not blown up by dynamite while they were there? A. No, sir.

Q. Were you disturbed by them or their outfit? A. No, sir.

Q. They were peaceable, quiet gentlemen, were they not? A. Yes, sir.

Q. Behaved themselves as good citizens? A. Yes, sir.

Q. They were honest, temperate, and industrious men? A. Yes, sir, I think so.

Q. You spoke about the sheriff being a member of that crowd; I will ask you to state to this Committee if you helped elect that sheriff? A. I did not; he charged it on me, but it was not so.

Q. You said, Mr. Hackney, that there was considerable feeling at the time of this so-called expose, and that you were afraid Mr. Greer would become injured, and therefore advised that he be guarded; when was it that you reached that condition of mind that he was in need of a body guard? A. It was one day I was up at Jim Hill's drug store, on Ninth avenue, shortly after that expose.

Q. When was that with reference to the dynamite explosion at Coffeyville? A. Well, I have not a good recollection; my recollection is that it was before the explosion.

Q. How long before? A. I could not say that, for I do not know how long the expose was out before the explosion.

- Q. Do you remember the date of the first expose? A. I do not know.
- Q. Do you remember of reading the expose in the *Winfield Courier*? A. I read a part of it; I do not think I read it clear through; life is too short.
- Q. Did you read the editorials in the paper on that day? A. Well, I suppose so, although I do not now recall the fact.
- Q. Up to that time there had been no threats against Mr. Greer, or anybody else? A. What time do you mean?
- Q. Up to the time of the first expose. A. Not that I know of.
- Q. Mr. Greer had had no difficulty with the Vincents, or anybody else, politically speaking? A. Not to my knowledge; that is, I do not remember it now; there might have been.
- Q. You may state to the Committee what paper that is. [Counsel hands witness a copy of the *Winfield Courier*, dated October 4, 1888.] A. It is the *Winfield Courier*, or purports to be.
- Q. Examine it, and state if it is. A. I should say yes.
- [Counsel reads the following local, and desires it to go into the record:]
- "The *Courier* has placed additional insurance to-day, so that if the office is blown up by dynamite or destroyed by fire-bugs it will not stop the issue more than a few days."
- Q. Who was it you ever heard make any threats against Mr. Greer? A. I heard John Wells in at Hill's drug store and some other parties there, make threats. There was some difficulty upon that day between some parties, and those threats had been made then.
- Q. You were at that time acquainted with Henry Vincent? A. I knew him.
- Q. Had you ever heard him make any threats? A. No, sir.
- Q. Did any of the Vincents make any threats? A. No, sir; I never heard any of them make any.
- Q. Directly or indirectly? A. No, sir.
- The witness was excused from further attendance.

TOPEKA, Wednesday, March 11, 1891—2 o'clock P. M.

Committee convened pursuant to adjournment; a quorum present.

GEORGE W. POORMAN, being duly sworn to testify the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Curtis: Q. You may state your name to the Committee. A. George W. Poorman.

Q. Where do you reside? A. Bellaire, Ohio.

Q. Where did you reside in October, 1888? A. From the 8th day of October, 1888, in Bellaire, Ohio.

Q. Prior to that time, where did you reside? A. Winfield, Kansas.

Q. How long did you live at Winfield? A. It might have been a year, and it might have been more; I do not remember.

Q. Were you acquainted with the Vincent Brothers that run the *Non-Conformist* at Winfield? A. I was.

Q. What connection, if any, did you have with them or their paper? A. I was an employé in that office.

Q. For how long a time? A. For most of the time I was in Winfield.

Q. How long have you known E. P. Greer? A. Well, I was in Winfield a long time before I knew him. I do not remember just how long I have known him.

Q. When did you leave Winfield for Bellaire, Ohio? A. I left there along the last of September.

Q. Are you a married man? A. I am.

Q. Were your family with you at any time in Winfield, Kansas? A. They were.

Q. When did they leave Winfield for Ohio? A. I think they were in Ohio about two months before I was.

Q. Did you send them there from Winfield? A. That is my recollection.

Q. What day did you leave Winfield for Bellaire, Ohio, or Topeka, Kansas? A. Well, I am not positive in regard to that, but I think it was along about the 3d or 4th of October, 1888.

Q. Did you know anything about an organization known as the National Order of Videttes? Well, I know there was such an order—yes.

Q. When did you first learn of that organization? A. I think it was along in September, 1888.

Q. You may state to the Committee if at any time you obtained the ritual and secret works of that organization? A. I did.

Q. State to this Committee how you came to get them. A. I went to South Haven and secured it from a Mr. and Mrs. Samuel Nutt.

Q. Well, state to the Committee how you came to do that. A. Well, I went there to get it to use in the political campaign of 1888, and as much for Col. Henderson as anybody else.

Q. Just tell the Committee what arrangements were made for you to go down and get the book; what you received for it; how you came to get it, and what you did with it after you did get it. A. The committee offered to pay my expenses in procuring the book and gave me five dollars, and I went to South Haven. The first thing that I did after getting there was to call upon a widow, editor of a newspaper in that place. I told her my business and that I wanted her to assist me, inasmuch that if anyone asked as to what my business was there, she should tell them that I had come there to purchase her office and run a union labor paper. I then went to her office with her and made her an offer for her paper. She refused it, and asked, I think it was, three hundred dollars more than I had offered. I then left the office and went to the hotel; from there I went to the residence of Mr. and Mrs. Nutt and spent the afternoon with them, talking over the propriety of buying the same, and of the money I had offered this woman for her paper. After that I sprang the question on them in regard to this organization; talked around awhile, and told them I thought I would like to join them, and they agreed to put me through, and did.

Q. State what they did, and how they put you through. A. I went over to the hotel, and stayed there until after supper; then went back to the house, and after they had cleared off the table they brought out a lot of books and papers. Mr. Nutt sat beside me at the table, and Mrs. Nutt at one end of the table. During the time that Mr. Nutt was reading over what I presume was the obligation, Mrs. Nutt was commenting on the towering ability of Leopold Vincent, and the mark he had made as a campaign orator. Mr. Nutt interrupted us there, and told me what the initiatory fee was, and I threw him the money down on the table as he finished, what purported to be, and I suppose was, the obligation of the order. She commenced talking about if the party was successful that Leopold must have the position of treasurer of state, as his ability made it fitting that such an appointment should be made, and that his abilities were of such a nature that he ought to have that position. I think I told them that I was going down into Butler county and work up the cause down there; that I was well acquainted in Butler county, and in order to keep well posted in regard to the workings of the order I ought to have one of these books, and he handed me the book.

Q. What did you do with the book? A. I put the book in my pocket—very suddenly, too.

Q. State what else you did. A. I then told them that I guessed I would go to the hotel; that I wanted to go to Winfield prior to going down to Butler, and I promised Mrs. Nutt that I would return in the morning and take a large bouquet that she would make, to Leopold, but I failed to keep that promise.

Q. Did you go back to Winfield? A. Yes, sir.

Q. State what you did with the book, the secret work or ritual of the Videttes? A. I met Mr. Henderson, I think—I am not positive of that fact—but I think I met him and told him I had the book. I then met Mr. Cooper afterwards, I believe, and he told me to come to the republican headquarters that evening, and I went. There were present that evening a Mr. Frey, Mr. Cooper, and a young lawyer—Bonham, I believe, was his name. If there were any others present that evening, I do not remember. They examined the book, and decided it was just what they wanted. Mr. Cooper and I then went to the *Courier* office and there showed Mr. Ed. P. Greer the book. Mr. Greer seemed to think it was just what he wanted.

Q. Did you go that night? A. I went that night, and I left the book there in the hands of Mr. Cooper and Mr. Greer, and went from there to the hotel.

Q. Then what did you do? A. I stayed in that hotel all night and all the next day, until the next evening. There is something I want to state, that before leaving the *Courier* office, they had decided to publish it. I told them that they must not publish it until I was out of the state. Then I went to the hotel.

Q. You may state to the Committee what consideration, if anything, was paid you for what you had done, and who paid you, if you know. A. I got no consideration for that book.

Q. How much money did they pay you, and why did they pay you what they did? A. I had no money; I had been out of work some time, and at that time was having a suit in litigation against the Vincent Brothers for wages due me; and when I got ready to leave there I went out of the hotel, through the yard, to where the junction of the railroad crossing was. I got on the train there and came to Topeka. Mr. Cooper, Mr. Barnum and the young lawyer went to the train with me. They gave me \$15 in money—I think that was the amount; I might be mistaken in regard to that, but I think it was \$15. Mr. Greer told me that he would give me a letter to Henry Booth, but he did not give me the letter, but mailed it to Mr. Booth at Topeka, at that time chairman of the republican state central committee. I came to Topeka and went into the republican headquarters; it was in some hotel—I do not know where; somewhere around the city—I do not remember the name of the hotel.

Q. Would you remember if I called it, the Windsor? A. I think it was. I told Mr. Booth my circumstances, and asked him to give me some money to get home on. This, he said he would take into consideration. I then went out to the fair grounds or some place—I do not know where; they were holding a soldiers' reunion. I stayed out there that day, or the most of the day, and came into the city in the evening. Went back to the fair grounds the next day and stayed a part of the day, and returned to republican headquarters; and Mr. Booth, after talking to me some time, gave me \$10. I started for home on the 7 o'clock train, arriving in Columbus, Sunday, the 7th day of October. I went to the republican headquarters there, and being acquainted with the chairman of the republican executive committee of Ohio, I borrowed money from him to take me to Bellaire, Ohio, arriving there at 4 o'clock on the morning of the 8th day of October, 1888.

Q. Now to refresh your memory, I want to ask you if you did not leave for home, leaving Topeka on the noon train or the train that left soon after noon. A. I am of the opinion that I left on the 7 o'clock train.

Q. Would you be positive about that? A. It was an afternoon train that I left on; I am positive of that, and it appears to me I left on the 7 o'clock train in the evening.

Q. What business did you follow after you arrived home? A. On the 10th of October, 1888, I commenced the duties of local and city editor of the *Bellaire Evening Tribune*.

Q. And you have been occupying that position since? A. Yes, sir.

Q. Now, when you were in Topeka, did you tell Henry Booth and Bion Hutchins, at the republican headquarters, about what part you had taken in obtaining the secret works of the National Order of Videttes? A. I told them — yes, sir.

Q. Do you know this gentleman? [pointing to C. A. Henrie]. A. I have no personal acquaintance with him; I met him at republican headquarters at that time.

Q. What time? A. I think it was on the 5th or 6th of October, 1888.

Q. State to the Committee how often you saw him here in Topeka, during the month of October, 1888. A. I saw him at republican headquarters, and I saw him as I was leaving the city of Topeka for Ohio.

Q. Did you have, upon either of these occasions, conversation with him? A. Yes, sir.

Q. What was it; give to the Committee all the conversation you had with him. A. He stepped up to me, I was just getting on the train, and asked me if I thought this organization was as bad as I represented it to be.

Q. What organization? A. The National Videttes.

Q. Go ahead and state what else. A. I told him that I did. I then asked him who that gentleman was standing by a post. I think he said, "I do not know; I am not acquainted with him." The reason that I asked him this question was that this man had been following me all over Topeka, and had followed me to the train.

Q. After you arrived at home on the 8th of October, 1888, did you have any correspondence at Winfield, Kansas? A. I had.

Q. State to the Committee who they were, and how often you corresponded with them? A. I think I wrote a letter to Mr. Frey, and I am not positive in regard to Mr. Cooper, and I know I have written probably two or three letters to Mr. Greer.

Q. Did you send Mr. Greer any affidavit? A. I think I did.

Q. How many? A. I think I sent one of my own and one of the city marshal and one of the mayor of Bellaire.

Q. Did you write any more letters than you have mentioned, or send him any more affidavits? A. I do not remember that I did.

Q. Give to the Committee the largest number of letters you wrote him. A. I could not say.

Q. Did you write him more than three letters? A. I may have written him more than three.

Q. Can you remember how many you wrote him? A. No, sir; I cannot.

Q. You may state to the Committee why you wrote to Mr. Greer the letters you did. A. Well, I had been charged with having connection with this Coffeyville explosion, and papers had been sent back to the editor of the *Bellaire Independent* with marked articles in it in regard to my connection with this affair, which were shown me by the editor of the *Independent* — he being a personal friend of mine — and I thought that I ought to write to Mr. Greer in regard to it, and did so.

Q. I will ask you if you remember of writing him a letter in reference to a telegram that was sent to the marshal making inquiries about you? A. I think I did.

Q. When was the first time you saw or met Mr. Henrie after you left the city of Topeka? A. Last Monday a week ago.

Q. Where? A. In this room.

Q. Did he at any time after you met him here in the city of Topeka, on the 5th or 6th day of October, 1888, visit you at your home in Ohio? A. No, sir.

Q. During that time did you receive any letters or communications from him? A. No, sir.

Q. During that time do you know anything about yourself and wife receiving any letters addressed to C. A. Henrie? A. Neither my wife nor myself received any letters addressed to C. A. Henrie.

Q. Did you call at the postoffice for letters addressed to C. A. Henrie? A. No, sir.

Q. Do you know anything about C. A. Henrie? A. Nothing, only what I saw in the newspapers.

Q. Now, after you went to Ohio in October, 1888, how many times were you out of the state of Ohio from the time you arrived there until you came back here to testify in this investigation? A. Three times.

Q. Where did you go? A. Once I went to Pittsburgh, and twice to Wheeling.

Q. What business did you go there on? A. To Pittsburgh I went on some business for the agent of the Cleveland & Pittsburgh Railroad, who resided at Bellaire. At Wheeling I went on business connected with the office—to see the manager of the Fulton paper mill.

Q. Now give the dates as near as you can. A. My trip to Pittsburgh was made either in June or July, in 1889. My trip to Wheeling I do not know just when; I could tell by looking over the papers in the office.

Q. Well, as near as you can? A. Well, in 1889.

Q. Was the Pittsburgh trip the first one you made? A. I made a trip to Wheeling—one before that, and one after; I do not know what date that was.

Q. I want to know whether you made a trip to Pittsburgh before you did to Wheeling? A. I say, I made the trip to Wheeling, one prior and one after.

Q. Since you left Topeka in 1888, did you have any correspondence with the republican state central committee of the state of Kansas? A. After I returned to Bellaire?

Q. Yes, sir. A. No, sir, not to my recollection; that is, with the state committee. I had no correspondence, but I wrote a letter to Henry Booth from St. Louis.

Q. What did you write him about from St. Louis? A. I wrote him that Henrie, the man employed in his office, belonged to the Videttes, and he ought to keep an eye on him.

Q. How did you know Henrie belonged to the Videttes? A. Because he gave me the sign in the building.

Q. Did Mr. Henrie hear you talking to Mr. Booth or Mr. Hutchins about the Videttes? A. I think he heard me talk to Mr. Hutchins, but not to Mr. Booth; when I first went there Mr. Booth was not in the office.

Q. Where were you on the 18th day of October, 1888? A. Bellaire, Ohio.

Q. I will ask you to state if at any time you helped to prepare or fix a box of dynamite or other explosive substance, to be sent to or by C. A. Henrie, Ed. P. Greer, Mr. Hutchins, Mr. Booth, Mr. Cooper or any other member of the republican party or any person in the state of Kansas? A. I never did.

Q. Did you know anything about the preparation of the box of dynamite or other explosive substance that exploded at Coffeyville on the 18th day of October, 1888? A. I did not.

Q. Did you have any correspondence or communication with any person in reference to the preparation or delivery of that box? A. No, sir.

Q. When was the first that you heard of the explosion at Coffeyville? A. I believe it was the next day after the explosion.

Q. How did you hear it? A. I saw it in the Cincinnati *Commercial Gazette*.

Q. You may state to the Committee if, while you were in the state of Kansas, or after you left here in October, you were consulted by any person and asked to aid or assist in the preparation of the box of dynamite or other explosive substance to be used by any person? A. No, sir; I never was.

Q. After you read in the paper that you were charged with having had some connection with the explosion at Coffeyville, what, if any, steps did you take toward bringing prosecution against the parties who had charged you with being connected with it? A. I took a copy of the *Non-Conformist* that Mr. Gow furnished me, the editor of the *Independent*, and went to St. Clairsville, the county seat of Belmont county, Ohio, and consulted the Hon. Lorenzo Danford, and asked him to take charge of the case and bring suit against the *American Non-Conformist* company for criminal libel; he asked me the name of one of the leading law firms of Winfield, Kansas; I gave him the name of Hackney & Asp; he then wrote to them and asked them in regard to the *Non-Conformist* company. He afterwards showed me the answer to the letter, stating that it would be useless, as there could be nothing made off of the company, and I dropped it.

Q. You spoke about going down to get this book, and the committee was to pay your expenses; what committee did you mean? A. The republican central committee of Cowley county.

Q. You spoke of the party that the Nutts were members of; what party did they belong to? A. The union labor party.

Q. Do you know whether or not Mr. Nutt was candidate for any office on the ticket? A. I think he was.

Q. What office? A. I think state treasurer.

Q. Now why, after your return to Winfield, did you stay in the hotel all the next day, and go to board the train at the junction or crossing? A. Because that I believed at that time, during the political excitement of the campaign, that there were men in Winfield who would murder me if they got the chance.

Q. What party did you expect this danger to come from? A. From men on the street there in Winfield.

Q. To what organization did they belong? A. At that time they belonged to the union labor party.

Q. Did they belong to any secret organization? A. That I do not know.

Q. Do you know anything about there being a branch or camp of the Videttes in Winfield? A. I supposed that there was from the fact that this book had been printed there in the *Non-Conformist* office.

Q. I will ask you to state if you didn't know of your own knowledge that the book or secret work was printed in the *Non-Conformist* office? A. Yes, sir.

Q. Now, you stated about some person following you here in the city of Topeka: when did you first discover the party following you? A. When I went out the second day to the encampment or soldiers' reunion at the fair grounds, or some place.

Q. Do you know anything about the preparation of the second expose that was published in the *Winfield Courier*? A. No, sir; not until I saw it in the *Winfield Courier*, at Bellaire, Ohio.

Q. Now, did you assist Ed. P. Greer or the republican county central committee of Cowley county in any matter, or Ben. Henderson in any matter, save and except the getting of this book or secret works of the National Order of Videttes? A. No, sir; I did not.

Q. I understood you to say you were by when the book was left in the possession of Mr. Greer, and it was then understood that it was to be published? A. Yes, sir.

Q. After you returned to Bellaire, Ohio, did you meet a detective there known as

Mr. Drugan? A. I met Mr. Drugan frequently on the streets; I saw him when he came in town.

Q. Did he ever interview you in regard to the Coffeyville explosion? A. No, sir, he did not.

Q. Do you know Mr. McCormick? A. Yes, sir.

Q. Did he, at any time, interview you in reference to the Coffeyville explosion? A. Yes, sir.

Q. How many times? A. Once in reference to the Coffeyville explosion.

Q. Now, then, did you have any other conversation with Mr. McCormick? A. Yes, sir.

Q. What was that about? A. The foreman of the C. & P. round-house told me that Mr. Turner, a son-in-law of Thos. Drugan, had told him that his father-in-law was going to Kansas to testify in the Coffeyville dynamite business against me. I asked him what he knew about it, that is, McCormick; they said he did not know anything about me, but he wanted to know what I knew about Henrie. I told him that I did not know anything about Henrie, and if they wanted him they could get him, as he was in Topeka. He asked me how I knew he was in Topeka. I told him that I knew from the papers I received from Winfield, Kansas.

Q. What paper did you receive from Winfield, Kansas? A. The Winfield *Courier*.

Q. Have you been receiving that since you have been in Ohio? A. Yes, sir.

Q. What did you tell Mr. McCormick you knew about the explosion at the time he interviewed you on that subject? A. I told him that I did not know anything about it except what I had read in the newspapers.

Q. Did you at that time tell him you did not know C. A. Henrie? A. No, sir, I do not think just in that way. I told him that I had no acquaintance with Henrie, that I had never met him but twice in my life.

Q. I will ask you to state if, after you returned home and after this explosion, you ever told any person or intimated to any person that you knew anything about the Coffeyville explosion save and except what you read in the newspapers? A. I never did.

Q. Did you ever at any time intimate or tell any person that if you were arrested that you would squeal on anybody, or confess that you had anything to do with the Coffeyville explosion? A. No, sir; I never did.

Q. Did you know, or do you now know, anything about the Coffeyville explosion save and except what you read in the newspapers? A. No, sir; only what I have heard here.

Q. Did you know anything about the preparation of the box that was delivered to the agent at Coffeyville? A. No, sir.

Q. In what paper was it you first read of your having any connection with the explosion at Coffeyville? A. The *American Non-Conformist*.

Q. Who was that published by? A. The Vincent Brothers.

Q. Prior to that time had you then had any falling-out? A. Yes, sir.

Q. What was it? Well, I sued them for my wages.

Q. Had you had any falling-out with reference to the old soldiers? A. No, sir.

Q. The expression that they had made in regard to the old soldiers? A. No, sir; we disagreed in regard to the old-soldier racket to some extent.

Q. Were you an old soldier? A. Yes, sir.

Q. I will ask you to state if you have not had your differences settled between yourself and Vincents? A. No, sir.

Q. Have they ever paid the judgment yet that you obtained against them before you left Kansas? A. No, sir; when I left Kansas I had secured judgment against them in the lower court.

Q. For how much? A. Sixty some dollars, I think it was. My lawyer informed me that the Vincents intended to pay it without any further trouble. I believe if Henry had been let alone it would have been paid if he had had his way; but prior to the time that they agreed it should be paid, if I understand it, and as my lawyer informed me, it was appealed to the other court. In the meantime I had gone to Ohio, and the amount in litigation was not sufficient to justify my return, consequently I presume it was dismissed; I do not know what became of it.

Q. Are you any relation to either of the Vincents by marriage, and if so, what one, and what relation? A. Henry Vincent's wife is a cousin of my wife.

Q. Did you work upon their paper? A. Yes, sir.

Q. What, if anything, did they publish in their paper prior to the 8th day of October, 1888, in reference to anarchy? A. Why, in regard to that I could not just say what; there were a good many articles in the paper I did not read; at that time I was making-up down stairs, and I guess that was one of the causes I quit work in the office. I got one article into two issues of the same paper, but I could not say what article was published. I did not read them unless I happened to set them at the case.

Q. What were their views in reference to sympathizing with the persons who were hung in Chicago? A. I believe they denounced that act at that time.

Q. The hanging? A. Yes, sir.

Q. Upon Grand Army days what was the custom in putting out flags? A. They did not put any flags out on the day the G. A. R. marched, when I was there.

Q. What, if any, remarks did they make about the G. A. R. when they were marching by? A. Some of them looked out and said, "See if old Stump-leg is not coming by, whooping up the bonds."

Q. Did you not request them to put out some flags, and they refused to do it? A. I think as I came through the office I picked up two flags and made the remark: "We had better put them out of the window," and Leo, or Professor—one of the two—objected to it, and said, that was not their way of paying respect to soldiers, or something of that kind.

By Mr. Henderson: Q. How much money did you receive to go to South Haven? A. I think it was \$5.

Q. From whom did you receive it? A. I think I received it from Mr. Frey. I do not know what his initials are.

Q. Was it the Frey that was here the other day? A. Yes, sir.

Q. How much did you have to pay to obtain your initiation in the National Order of Videttes? A. I do not remember; it was either a dollar and a half or two dollars; I am not positive.

Q. Do you remember how long you remained in South Haven? A. I think I was there two days.

Q. Did you write for any money while you were there? A. I think I did.

Q. To whom did you write? A. I am not positive whether I wrote to Mr. Frey or Mr. Cooper.

Q. Do you remember what time of day you returned—when you arrived in Winfield? A. I think it was about noon, or in the forenoon.

Q. Do you remember where you went to immediately upon your arrival? A. You might be able to enlighten me; I think I met you first.

Q. Did you see me at all after you returned? A. I think I did, Colonel; I might be mistaken. I think I had two talks with you, but whether it was after or before I do not remember.

Q. You and I had two conversations before you went to South Haven, didn't we? A. I think we did.

Q. Don't you know that I was out of the city when you returned? A. I am not positive.

Q. You won't say positive that you saw me on your return? A. No, sir.

Q. How long did you remain at republican headquarters? A. I think I remained about one hour; maybe not so long.

Q. Mr. Frey, Mr. Cooper and Mr. Barnum and yourself were all that were present at that time? A. I said they were present, and I believe there were others.

Q. Did you see Mr. Greer while there at headquarters? A. No, sir.

Q. When was it you did see Mr. Greer next after you returned from headquarters? A. We went from republican headquarters to Greer's office—Mr. Cooper and myself and Mr. Barnum.

Q. Did Mr. Greer give you any money? A. I don't think he ever did; I do not remember.

Q. Did you see the letter he wrote to Mr. Booth? I did not.

Q. At whose suggestion was it you came here to Topeka? A. I think it was on my own, because I wanted to get home. I think Mr. Cooper was the party who told me to call there, and probably I could get some help from the republican central committee of the state to pay my expenses back east.

Q. Where were you at the time this suggestion was made by Mr. Cooper? A. In the hotel there.

Q. Do you remember what room you occupied there? A. No, sir, I do not.

Q. Whether it was the second or third floor? A. I think on the second floor; I am not positive.

Q. Do you remember who all called upon you when you were up there? A. I think Messrs. Frey, Cooper, Barnum, and Colonel somebody—I don't remember what his name was.

Q. Was Mr. Greer there? A. I do not think Mr. Greer called.

Q. You remember Captain Hoffman? A. He was a man about your height.

Q. If you heard his name would you remember it? Was it Colonel Burns? A. I think it was.

Q. When you came here to Topeka, did you go immediately to republican headquarters? A. Yes, sir.

Q. Had Mr. Booth received Mr. Greer's letter upon your arrival here? A. I do not know.

Q. Did he say anything to you about the letter? A. I did not see Mr. Booth.

Q. Did you see Mr. Hutchins? A. Yes, sir; he was there.

Q. Did he say anything to you about the letters? A. No, sir, I think not; I asked for Mr. Booth, and he told me he was away.

Q. How long did you remain in Topeka? A. I think I was here two days.

Q. Then you met Mr. Henrie up there at the headquarters. A. Yes; he was in there when I went in, doing up some campaign documents.

Q. That was on the fifth or sixth of October? A. I think it was.

Q. He was at work there for the republican state central committee? A. Yes, sir.

Q. When was it, with reference to your first visit to headquarters, that he gave you the sign of the Videttes? A. I think it was that day, as soon as I went in.

Q. Immediately upon entering the room? A. After I came from the fair grounds.

Q. Up to that time had you any talk with Mr. Hutchins, with reference to the Videttes? A. I think not; I might have.

Q. When he advanced the sign did you answer? A. I think I did.

Q. Did you approach him and shake hands with him? A. No, sir.

Q. Did you have any talk with him? A. I think not.

Q. What was the sign he gave you? A. I do not remember; I would not know it now if I should see it.

Q. Did you talk with Henrie at all to ask about the order of Videttes? A. Only at the train, when I went away.

Q. How often had you seen Mr. Booth after you arrived, and before Mr. Henrie had advanced this sign to you? A. Twice, I think.

Q. In either of these conversations, did you say anything about Henrie advancing the sign? A. I think not.

Q. Did you say anything to Mr. Hutchins about it? A. I think not.

Q. Was there anything said by either Mr. Booth or Hutchins with reference to Mr. Henrie and his work? A. I do not remember what the conversation was with Mr. Hutchins I had while I was there; I cannot remember.

Q. You had not talked with Henrie until he met you at the depot? A. I think not.

Q. Did he go with you to the depot? A. No, sir.

Q. Was he in the room when you started for the depot, meaning republican headquarters? A. I know he was not in the room that Mr. Booth and I were in; he might have been in the other room, but he did not leave there with me.

Q. Did I understand you to say that he went to the depot with you? A. No, sir; he did not.

Q. He came to the depot after you were there? A. Yes, sir.

Q. Where were you when you first observed Henrie at the depot? A. I was just getting on the platform of the car when he called me.

Q. Did he call you by name? A. He called me Poorman.

Q. Had you ever been introduced to him? A. I am not positive whether I was or not.

Q. Did he come to you on the platform? A. He stepped up to the platform of the cars; he did not come on the platform.

Q. What was the conversation between you and Mr. Henrie at that time? A. He asked me if I thought the Videttes were as bad as I represented them to be; I told him that I did.

Q. How did Henrie know that you had made any representation? A. I do not know.

Q. Had you made any representations to Henry about the Videttes? A. I think I never did.

Q. Was there anything said in that conversation about what representations you had made—that is, I mean the details? A. No, sir; there was not.

Q. What representations did you make about the Videttes? A. I told them there at headquarters that I believed it was an organization that ought to be suppressed.

Q. You told them it was a treasonable organization, did you not? A. I told them that was what I believed it to be—yes, sir.

Q. Did you tell them from what you had read that such was the case? A. I learned to believe, from what I read about that organization after I got on the train, that it was so.

Q. If you had the book could you point out anything of a treasonable nature? A. Yes, sir; I believe that any man who will take an obligation that is in this book is an open violator of the laws of this country.

Q. I will ask you to point out to this Committee [handing witness Exhibit 8] any treasonable language contained in that book. A. Whether you call it treasonable or not, that obligation in which he agrees to give up his body to his comrades—a man that will take that obligation is not a good citizen of this country.

Q. You took that obligation, did you not? A. No, sir.

Q. Were you not initiated in that order? A. No, sir, I was not; only informally, as I spoke of.

Q. Did you not take that obligation? A. No, sir; I did not as it is in that book.

Q. Did you not state when you returned to Winfield that you had taken the obligation? A. I said I had taken a part of it in that house.

Q. Did you not state here in Topeka that you had taken that obligation, and that you had to do it in order to obtain a copy of the secret work or ritual? A. Not in those words; no, sir, I did not.

Q. You took a portion of the obligation, did you not? A. Yes, sir.

Q. Please take that book [handing witness Exhibit 8] and point out that part of the obligation that you did take. A. I could not do it to save my neck.

Q. Could you point out that part of the obligation you did not take? A. No, sir; I could not.

Q. Could you point out any part that you did not take? A. No, sir; I could not, because I took as much of Leopold Vincent as I did of the obligation; that is the reason I cannot.

Q. How much of Leopold Vincent did you take? A. I got a great deal.

Q. How much? A. I got more than I did of the obligation because I heard more of it; the old lady was terribly sweet on Leopold Vincent.

By Mr. Templeton: Q. Who do you mean by the old lady? A. Mrs. Nutt.

Q. You say the old lady was awfully sweet on Leopold Vincent? A. Yes, sir; or words to that effect.

Q. Didn't you say that? A. Yes, sir.

By Mr. Henderson: Q. When was the first time you ever saw Henrie? A. When I came to Topeka, the first day, as I told you before.

Q. In October, 1888? A. Well, along about the 1st of October.

Q. How long did you remain here? A. I was here two days.

Q. And you met him several times while you were here? A. I never—I cannot say I met him except that once; that was at the train; yet I might have seen him.

Q. Do you know his father-in-law, J. W. McIntosh? A. No, sir.

Q. Now, is it not a fact, Mr. Poorman, that you and C. A. Henrie worked here together in Topeka some years ago? A. No, sir; I never in my life saw C. A. Henrie until I came to Topeka in October, 1888.

Q. You never worked with him in a printing office in the city of Topeka? A. No, sir; I never worked in a printing office in the city of Topeka.

Q. Were you ever in any wise connected with a printing office in the city of Topeka? A. No, sir.

Q. When did you first go to Winfield? A. I do not know what month it was.

Q. How long had you worked for the Vincents before you commenced suit to recover what you claimed to have been due you? A. I could not say, Colonel.

Q. Why did you quit work for the Vincents? A. Leo and I could not get along in the same room; that is all I know.

Q. Is that the only reason? A. Yes, sir.

Q. Do you remember no particular act that you did the day you quit work? A. Yes, sir; I remember.

Q. Do you remember of pieing a whole lot of type? A. Don't exaggerate, Colonel.

Q. Did you pi a form? A. No, sir; I did not.

Q. Did you not an entire column of matter? A. No, sir; I did not pi a column of matter.

Q. What did you do? A. Leo came down stairs and as I thought interfered with my work, and I did not like to be bothered at work, and in adjusting the form in

some way, I left the bodkin on the press, and the whole went through under the press, destroying a portion of a column of type.

Q. You quit work immediately after this thing occurred? A. Yes, sir; I quit work.

Q. You went up stairs and demanded your time? A. Yes, sir.

Q. You commenced suit? A. Yes, sir.

Q. When did you commence suit? A. I do not know, but it was several days after.

Q. You commenced suit before a justice of the peace? A. I commenced suit before the mayor; I think he was acting as mayor.

Q. Before whom? A. Before the mayor of the city of Winfield, I think.

Q. Who was your attorney? A. Mr. Bonham; they called this man "Judge," I think.

Q. Did you testify before the man who commenced suit for you — the officer, be he mayor or justice of the peace? A. Yes, sir.

Q. Do you remember what amount of judgment you obtained? A. Sixty some dollars.

Q. Was it not forty some dollars? A. A. I think not; my recollection is sixty some dollars.

Q. It was appealed, was it not? A. Yes, sir.

Q. The Vincent boys had treated you very nicely, had they not? A. I cannot answer that to suit you and myself both; part of them did, and part of them did not.

Q. Well, Henry — did Henry? A. Yes, sir, Henry — and so did the professor.

Q. Leo did not? A. No, sir; I could not get along with him.

Q. The case was dismissed, was it not? A. Yes, sir; that is my understanding.

Q. Did you not state in your examination-in-chief the reason it was dismissed was because of the fact that you could not come to Winfield to the trial? A. I think I said in my answer to that question that I did not come back because it would cost me more than was coming to me to pay my fare and my lawyer.

Q. Did you offer to give your deposition to be used as evidence in the case? A. My attorney informed me that it would not be taken. I wanted to get it taken and send back, but I think he informed me that the deposition would be no good — that I would have to be there in person.

Q. You are a man of family? A. Yes, sir.

Q. You were at that time? A. Yes, sir.

Q. Where was your wife at work at the time you commenced this suit? A. She was not at work in any place at the time this suit was begun.

Q. Wasn't she at work for the Vincent brothers? A. She worked for them — yes, sir.

Q. Was she not at work for them when you came to Topeka? A. No, sir; she was in Ohio.

Q. When did she go to Ohio? A. She was there two months before I left.

Q. How long have you known Mr. Nutt? A. I do not know how long.

Q. How long had you known him in 1888, at the time you visited him at South Haven? I could not state; I think I was acquainted with his wife long before I met him. That is my impression, that she was up there quite frequently.

Q. Did anyone send you to Mr. Nutt, to obtain this ritual? A. No, sir; I picked her out as the one I wanted to manipulate and work on. I thought I could talk sweet for Leo to Mrs. Nutt.

Q. Is it possible that you did talk sweet to Mrs. Nutt? A. I had to.

Q. You went down there and represented to Mrs. Nutt, in your sweet way, that you wanted to join the order of the Videttes? A. Yes, sir; I did.

X Q. And you represented, also, that you wanted to do that in order to give them away? A. No, I did not—not much.

Q. At the time you talked with her it was your intention to give it away? A. Yes, sir.

Q. And you went to work and obtained this intelligence, and got the book and did give it away? A. Why, certainly I did.

Q. Nobody has ever killed you? A. It was because I was not there to have it done—that is my honest belief.

Q. Who were you afraid of? A. I was afraid of parties on the street there.

Q. Can you name any of them? A. An editor of a newspaper notified me that people had made threats against me.

Q. When? A. Before I went down there.

Q. Who did he tell you had made threats? A. He told me at that time, but I do not remember.

Q. What did they threaten you for? A. Every time I would hear a batch of union labor fellows expressing their opinions on the street corner—and at that time they were quite numerous—I would walk up to them and say, “You had better preach what you practice—practice what you preach. You better have the editors and leaders of your party pay their honest printers’ bills before you advocate the doctrine you are now doing”; and that would raise a racket with them.

Q. Whom would you have a racket with then? A. I do not know.

Q. How many did you have? A. At that time I was not doing anything, and the campaign was pretty lively, and I had a good many of them.

Q. Are you able to name any one person with whom you had a racket? A. No, sir, I am not; because when I was in Winfield and at work I paid strict attention to my work, and was not around forming acquaintances with anybody.

Q. Did you have a racket with either of the Vincents on the street? A. No, sir, not on the street.

Q. Did they ever threaten you? A. Why, I was told one of them did.

Q. Who told you? A. Editor of the *Visitor*.

Q. Which one? A. The one with the black mustache; I do not know his name.

Q. What did he tell you the Vincents had threatened you? A. That if I did not shut up my mouth they would break my head.

Q. Which one said that? A. He did not tell me.

Q. Are you certain you had that talk at all? A. I am certain I had that talk with the editor of the *Visitor*—the *Morning Visitor*.

Q. How long were you idle, doing nothing, there? A. About two months, I believe.

Q. Did you work for Ed. Greer? A. No, sir; I worked occasionally on the *Visitor*, when they had night work.

Q. Did you ever work in Ed. Greer’s office at all? A. I never did; I worked in this way in Ed. Greer’s office: Before the Vincents procured their press and had moved into the Hackney building, I used to carry the forms and paper over to the building, and get them to bring them back; that is all the work I ever did in Greer’s building.

Q. And you never worked for Ed. Greer at all? A. Never did.

Q. At no time? A. Not to my knowledge.

Q. Did you not work there in the month of September, 1888? A. I never did.

Q. Do you remember when you quit work for the Vincents? A. I do not remember the day nor the month that I quit.

Q. Did your wife work there for a month after you quit? A. I do not think she did; she might have worked there a little while after I quit.

Q. She is a type-setter, isn't she? A. Yes, sir.

Q. Do you remember the first letter you wrote to Mr. Greer? A. No, sir; I do not.

Q. Do you remember of using this sentence: "I still hold in my possession the gravest and most startling evidence of treason in connection with the Videttes; and if you will have Harper send me a draft for the amount of judgment I secured in Judge Buchanan's court against the Vincents, I will send it to you"? A. I think I wrote that.

Q. What did you have? A. I do not know.

Q. Did you have anything? A. I do not know whether I had some papers I got off of that table down there, or not.

Q. Did you give Mr. Cooper all the papers you obtained at South Haven? A. I do not know whether I did or not. If I had anything, it must have been some papers that I got off of that table.

Q. Did you give him any letters you had received? A. Mr. Greer?

Q. Yes, sir. A. I do not know whether I did or not.

Q. Was there not a letter with the name of the person taken out of it, to whom it was addressed cut out? Did you hand him such a paper as that? A. If I did, I cannot remember it now.

Q. Did you ever see that letter, or something like it? [Handing witness Exhibit 9.] A. Yes, sir; I have seen something like that.

Q. You gave that to Ed. Greer didn't you? A. I do not remember.

Q. You won't tell this Committee you did not? A. If I gave that to Mr. Greer I have forgotten all about it.

Q. When did you see something like that, and where? A. I saw something like it in the paper.

Q. Did you ever see the original letter? A. I cannot recall it, if I did.

Q. Now, as a matter of fact, you gave that to Mr. Greer and Mr. Cooper, together with that book? A. I do not think I did; I might have done it, but I do not think I did.

Q. Have you in your possession now this startling evidence of treason in connection with the Videttes? A. I have nothing in my possession that ever belonged to the Videttes.

Q. What did you write that to Ed. Greer for? A. I do not know.

Q. You wanted some money, didn't you? A. I expect I did, if there is anything in there mentioned about money.

Q. Was that the object you had in writing him? A. I expect it is a fact.

Q. Did you use this language: "If you will have Cooper send me a draft for the amount of judgment I secured in Judge Buchanan's court against the Vincents, I will send it to you"? A. I think I did.

Q. Did you want Mr. Cooper to pay your judgment against the Vincents before you would send this evidence of treason in connection with the Videttes? A. If I said it, I would like to see it. [Here counsel hands witness a letter.] I say here, "I will also send an affidavit in regard to the Vincents that will silence them, backed up by the officers and business men of this county, regardless of party"; and by that I mean that I will send affidavits of such a nature that would refute the charges made in the *Non-Conformist* in regard to me having any connection with the Coffeyville explosion.

Q. I want you to explain to this Committee what you meant by the first two sentences? A. Whatever is in there, I meant it when I wrote it just exactly, word for word.

Q. Do you mean to say you at that time had in your possession this startling

evidence that would connect the Videttes with treason? A. Colonel, I meant it or I would not have said it.

Q. Did you have that evidence? A. I must have had it or I would not have sent it.

Q. What was that evidence? A. I do not know; I must have had it.

Q. Well, did you have it? A. I must have had it.

Q. What did you do with the evidence? A. I don't know what became of it; this thing has passed out of my mind as a thing that was settled and gone; neither did I pay any attention to what I had in my possession.

Q. I want to know now if you remember the character of evidence you had, as stated in that letter. A. No, sir; I do not.

Q. Was it in the shape of letters? A. I think it was letters, and that I got them off the table that night at the residence of Mr. Nutt.

Q. Who were the letters addressed to? A. I do not know as they were addressed to anybody in particular; I do not remember.

Q. Who was the author of the letters? A. That I do not remember.

Q. Do you remember how many of them you had? A. No, sir; I do not.

Q. Was C. A. Henrie's name attached to any of them? A. Not that I know of.

Q. Are you able to tell the Committee anything about it at all? A. No, sir; if I was, you bet I would tell it.

Q. Is it not a fact that you did not have any such evidence, but wrote that letter, as indicated, to get some money from Mr. Cooper? A. I say no.

Q. You say, if you had such evidence it has now passed out of your mind? A. Yes, sir.

Q. It has not passed out of your mind that you betrayed the confidence of Mrs. Nutt? A. No, sir; it has not.

Q. It has not passed out of your mind that you betrayed the confidence of Mr. Nutt? A. No, sir; it has not.

Q. It has not passed out of your mind that C. A. Henrie gave you the sign of the order here in Topeka? A. No, sir; it has not.

Q. It has not passed out of your mind that the state central committee gave you some money when you were here? A. No, sir; it has not.

Q. And you have not forgotten that fact that you wrote Mr. Booth, when in St. Louis, regarding Mr. Henrie? A. I have not.

Q. And you have not forgotten the fact that you told Mr. Booth and Mr. Hutchins about the manner in which you betrayed Mr. and Mrs. Nutt? A. No, sir; I have not.

Q. All these things that I have mentioned you now remember distinctly? A. Yes, I remember these distinctly, because I have been implicated, and have been looking up this matter. I had forgotten all about the affidavits until the lawyer questioned me in regard to them since I came here.

Q. You do not think that a man who would be guilty of such deception and fraud upon any person would be suspected of doing anything wrong, do you? A. I shall answer that, Mr. Chairman, in my own way. I believe that a man in this country who believes in this country's institutions—if he believes that an organization is a treasonable organization, he has a right to fight the devil with his own implements.

Q. And such a man, patriotic to his country as you indicate, if he possessed any evidence that would prove the treason that you had charged, would retain and keep secret such a charge, would he not? A. No, sir; the first thing he would do would be to destroy his enemies.

Q. And you say the first thing you would do, as a patriotic man, would be to destroy such evidence which you had in your possession connecting the Videttes with some treason to this country? A. You misunderstood me; I did not say anything

of the kind; I said I would destroy the parties who belonged to that organization, and not the evidence.

Q. Then why is it that you cannot furnish that evidence? A. I furnished that evidence.

Q. Have you furnished all of it? A. I furnished all I had in my possession, except what I lost.

Q. Do you know what it was? A. No, sir, I do not.

Q. Now this letter was dated October 22, 1888; you had been charged with being connected with that Coffeyville explosion at the time you wrote this letter, had you not? A. Yes, sir.

Q. And you knew of that fact? A. Yes, sir.

Q. And you knew that the Vincents had made that charge against you? A. I knew they had published these articles; some of them were direct from the Vincents, and some of them came from other sources.

Q. Then you certainly would have kept this evidence or made it known immediately, would you not, if you had any such evidence? A. No, sir; I think if I retained that evidence and had it in my possession at that time, I retained it for the purpose of using it in a contest I proposed to have with the Vincents, if I entered suit against them.

Q. And yet you were willing to give it up to Ed. Greer if Cooper would pay the judgment? A. I certainly was.

By Mr. Curtis: Q. Did you say in your letter that Mr. Henrie was in the employ of the State central committee, or simply around their rooms? A. I think I said he was in the room doing up some packages; I do not know whether he was in their employ or not.

By Mr. Senn: Q. You are an old soldier? A. Yes, sir.

Q. You were in battles during the war? A. Yes, sir.

Q. You were not afraid of risking your life or losing it, were you? A. I have put my life in jeopardy more than once.

Q. You were not afraid to risk your life in order to procure the secrets of the Videttes? A. I thought I could procure it at that time, and have it in my possession, and get away; and I did.

Q. And you were not afraid of risking your life? A. I was not afraid at that time or I should not have gone down; I didn't suppose they knew anything about it.

Q. You needed some money about that time? A. I needed what the Vincents owed me.

Q. Then the motive you had was really the obtaining of some money? A. No, sir.

Q. What was the motive? A. When I went to Mr. Henderson and told him that all I asked of that committee was for them to pay all my expenses; and the reason that I made that expose was to get even with them for appealing the case after they had agreed to pay it.

Q. The motive, then, was hate? A. Yes, sir; for the way they had treated me.

Q. Didn't you say in your testimony that you did it out of patriotism; that you thought it would be right? A. No, sir; that was not my answer to the question he put to me.

Q. And you would consider your conduct would really be commendable, on the grounds that it was justifiable in order to expose the dangerous and treasonable organization? A. Not any more than it would be to kill a man in self-defense — that is what I mean. I think a man who belongs to anything of that kind is not patriotic to the institutions of this country, and that a man has a right to expose them.

Q. Was it hate or patriotism, or the desire to do some good for your country?
A. Both.

Q. Which was predominant? A. I don't suppose I would have ever gone down there if it had not been for the racket I had had with Leopold Vincent; when I went down to the door of the press-room, and invited him out on the pavement, so that I could give him a sound threshing, or he could give me one and settle it, I said I would get even with him.

Q. Judging from this answer, then you surely did not leave Winfield because you were afraid some one would hurt you? A. I never said I was afraid of the Vincents at any time.

Q. Who were you afraid of? A. I was afraid of the mob that was lying around there doing nothing, advocating their doctrines.

Q. You considered you had done valuable services for the republican party or this committee when you had obtained the exposure of the Videttes? A. Yes, sir; I considered that I had done something that would upset the union labor party for that year, and it did.

Q. And that is the reason you made demands for more money here in Topeka? A. No, sir; I simply asked them for money to get home with; I was here and had no money — no friends here that I could get anything of outside of politics, and my wife and little ones were at home, and me here out of work, and I thought I had the right to ask them for some money to get home on.

Q. So that is really all you knew; were you not afraid of being arrested for this explosion at Coffeyville? A. No, sir, I was not afraid of being arrested for the explosion; neither am I now afraid of being arrested for that explosion.

Q. You say you did not know that such a thing was attempted? A. No, sir; I never knew anything about it, until I read it in the newspapers.

By Judge Webb: Q. You have stated the reason why you suggested to Mr. Booth that you wanted money to get home on; was it after you had told him the manner in which you had secured this ritual and the exposure you had made of it? A. Yes, sir.

Q. And it was in consequence of having done that, that you thought you had a right to ask Mr. Booth, the republican representative, for money to get home on? A. No, not altogether; Mr. Greer had written a letter to Mr. Booth, asking him to assist me; that is the reason that I came to go there.

Q. That was after you had furnished Mr. Greer with the ritual? A. Yes, sir.

Q. And after Cooper and Frey gave you the fifteen dollars? A. Yes, sir.

Q. And after you had arrived at Topeka, with the assurances that Greer would write to Booth? A. Yes, sir.

Q. And you found Mr. Booth and told him what you had done, and asked him for money to get home on? A. Yes, sir.

Q. You thought, from the services you had rendered the republican party, you were entitled to be paid? A. I thought the republican party ought to assist me on my way home.

Q. You thought it was proper for you to call upon the republican state central committee to reward you for your treachery and infamous deception upon Nutt and his wife? A. I do not so regard it, but I answer yes to your question.

By Mr. Henderson: Q. Did you receive a reply to the letter you wrote to Mr. Greer, to which your attention was called by me? A. I do not remember.

Q. Have you in your possession any letters that you did receive from Mr. E. P. Greer? A. No, sir, not here; if I have any they are back home, but I do not know that I have any.

By Mr. Curtis: Q. I understood you to say, Mr. Poorman, that in obtaining what

you did obtain from Nutt and his wife that you thought you were doing what you had a perfect right to do? A. Yes, sir.

Q. I will ask you if, upon the occasion of the meeting of the Grand Army at Winfield, you and this man Moore did not decorate the office with Union flags? A. We did not, sir.

Q. You did not help him? No, sir.

The witness was excused.

ADDISON J. BONEWELL, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Curtis: Q. You may state your name to the Committee. A. Addison J. Bonewell.

Q. Where do you reside? A. Berlin township, Cowley county, Kansas.

Q. Where were you living in October, 1888? A. Berlin township, Kansas.

Q. Are you acquainted with Mr. J. B. Evans, who testified before this Committee one day last week? A. I am.

Q. Did you hear his testimony in which he stated that he had a conversation with you in reference to a deputy sheriff coming to the home of your father and telling him about the Coffeyville explosion? A. Yes, sir.

Q. Will you please tell this Committee when you had a conversation with him—I mean the day of the week—and just what you told him? A. On Saturday morning, after the explosion on Friday night, I started for Winfield, and met Mr. Evans on the road. I asked him if he had heard of the dynamite explosion at Coffeyville; he said, "No, sir."

Q. What did you tell him? A. I told him that my father, J. W. Bonewell, was in town on Friday, and came home that evening and told me about it.

Q. Did you tell him the deputy sheriff of either county had been to your father's house either Thursday night or Friday morning, looking for the parties, and told him about the Coffeyville explosion? A. No, sir; not to my recollection.

Q. Had the deputy sheriff of either of these counties been to your father's house upon Thursday night or Friday morning and told about the explosion? A. Not that I know of.

Q. When did you first hear of the explosion, and who told you? A. My father, on Friday night.

Q. When did he hear of it? A. He had been to town that day.

Q. You say this conversation you had with J. B. Evans was on Saturday; what time Saturday after the explosion on Thursday before? A. Probably about eight or nine o'clock in the morning.

By Mr. Henderson: Q. You say you did not tell him that the deputy sheriff of Montgomery county or Cowley county had been to your father's house the night after the explosion? A. No, sir; not to my recollection.

Q. Do you remember of talking with him down here in the hotel about that matter, in my presence? A. Yes, sir.

Q. Isn't it a fact that you agreed to that conversation except as to the date; he said that it was the day following the explosion and you said it was on Saturday; I then suggested I would look up the dates and see just what day of the week the 18th day of October was? A. No, sir; we agreed to the day, but not to the sheriff coming.

Q. You do not remember that? A. No, sir.

The witness was excused from further attendance upon the committee.

CHARLES G. GLASS, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

By Mr. Curtis: Q. You may state your name to the Committee. A. Charles G. Glass.

Q. Where do you reside? A. Coffeyville, Kansas.

Q. How long have you resided there? A. About five years and seven months.

Q. What was your business in that city in October, 1888? A. I am a photographer; I was running a gallery there at that time.

Q. Did you know Mr. Upham? A. Yes, sir.

Q. How long had you known him in October, 1888? A. Perhaps about two years, as near as I remember.

Q. What was his business? A. Mr. Upham was an express agent.

Q. What else, if anything, do you know of his doing during the month of October, 1888? A. He was an amateur photographer, and made some views in the Indian Territory and around Coffeyville.

Q. Did he at any time visit your gallery? A. Yes, sir.

Q. State to the Committee about how often, prior to the explosion of October 18th, 1888, he visited your gallery. A. Well, I don't know as I can answer that question; he probably came in twice a week.

Q. What was the object, or purpose, of his visits? A. He wanted to get pointers in regard to developing plates and manipulating chemicals, and we discussed the business—the details of it; that is about all.

Q. Do you know anything about what kind of chemicals he used? A. Yes, sir.

Q. Please state to the Committee what chemicals you know of his using about the month of October, 1888. A. Well, he used ordinary photographers' developer for developing plates, which I think at that time was the hydrochinon developer. There were, of course, different developers for developing dry plates, but I think that was the formula that he used at that time.

Q. Did you know of his using that formula at that time? A. Yes, sir.

Q. Of what was that composed? A. I cannot answer that question. If you have reference to the matter I was speaking about—this hydrochinon, I think it was a private preparation. We always bought it at the stock house. I do not think it is composed of—it is not an explosive.

Q. Do you know of his using anything else in the business of photography? A. Yes, sir; he used magnesium flash powder.

Q. Well, of what is that composed? A. Magnesium flash powder is composed of gun-cotton and some other substance. I never bought the flash powder; I simply bought the gun-cotton and the other ingredient: I do not know what it is now, as I have not used it for some time. Gun-cotton and the other ingredient makes the flash powder. You take a little of the gun-cotton and pour some of this other ingredient upon it, and set it on fire. Gun-cotton is an explosive.

Q. Please tell the Committee if you know from your experience in handling gun-cotton, and from what you have read about it, what kind of an explosive substance it is? A. It is more deadly than gunpowder; one ounce of gun-cotton would have more force than two or three pounds of gunpowder.

Q. Have you at any time read anything with reference to how destructive it was by way of destroying and tearing to pieces everything it came in contact with? A. I read an article in the *Photographic Journal* some time ago in regard to an explosion of flash-powder, and if I remember correctly, it tore a boy's arm off that was working in the factory.

Q. Have you read any other articles as to how it would tear up iron or floors?
A. I have not.

Q. Do you know whether or not any gun-cotton was found in the wounds of these ladies? A. Not that I ever heard of—no, sir.

Q. Do you know a man by the name of Hackelier? A. I do.

Q. State to the Committee when you first became acquainted with him, in reference to the explosion? A. I think it was about three weeks previous to the explosion, if I remember correctly, perhaps four; it might not have been that long.

Q. State to the Committee what kind of a man he was—that is, his description? A. He was a Frenchman, I judge from forty to forty five years of age, weighed perhaps one hundred and seventy pounds, had gray hair and gray mustache.

Q. What was his business? A. He claimed to be a photographer; he was one, in fact.

Q. State if he had any connection with your establishment, after he came to Coffeyville? A. He did; he worked with me while in the city.

Q. Briefly state to the Committee what peculiarities he had? A. Well, when Mr. Hackelier came in there, after talking with him for some time, I employed him; he had some very fine samples, and claimed to have worked in eastern cities. I agreed to give him one-half of the receipts of the gallery, and also wanted one-half of the consumable material. In figuring that material up, Mr. Hackelier was very ignorant; in fact, he could not take a half-gallon silver bath, forty grains strong, and reduce it to silver; I had to do that for him. He seemed very dumb, although an intelligent-looking man. The night he left there he requested me to come to the gallery after supper—he might get word from his family to go home; he came in in a hurry, and of course wanted to pay for one-half of the consumable material on hand at the time; we went over it, and reducing the grains of silver in the bath to ounces of silver, Hackelier had it correctly figured before I had hardly commenced.

Q. Did you ever learn afterwards whether he was an expert chemist or not? A. He was certainly a fine chemist.

Q. Was there anything else peculiar about him? A. Yes, sir.

Q. Well, state what it was. A. At times when there was nothing to do in the gallery, he would sit with his face in his hands for sometimes an hour, and had a wild look in his eyes, and he laughed the most idiotical laugh it is possible to hear.

Q. How was he with reference to finances when he came there? A. When I asked Hackelier for the money for one-half of the consumable material, he said, "I cannot give it to you, Mr. Glass; I am entirely broke. I left Rock Island or Rockford, Illinois," (I don't remember which he said,) "to go to Wichita, to accept a position at \$30 per week." After he arrived at Wichita, he found the gallery was not taking in that much, and he left there and went to some other town near Wichita, perhaps more than one. The fact is, Hackelier had been suspicioned by a number of people as being concerned in that dynamite explosion, possibly because he was a stranger and a foreigner; in fact, I had my suspicions myself. After he left, I found under a bench a piece of zinc with some kind of mixture he had been making, that was not for the gallery, for we never mix anything on zinc. Mr. McCurry, the ex-sheriff of that county, and I had several conversations in regard to Mr. Hackelier, and I called his attention to this piece of zinc and gave it to him, and he said he would send it to Chicago, I think, and have it analyzed.

Q. Do you know to whom he sent it? A. I do not.

Q. I will ask you if you heard of his sending it to the express company? A. I heard Mr. Benson state it to be a fact.

Q. You may state to this Committee when Mr. Hackelier left Coffeyville, with re-

gard to the time of the explosion, and what his conduct was after the explosion, and at the time he was informed of the explosion. A. He left the second or third night after the explosion; I think his conduct was rather suspicious.

Q. Tell them how. A. When we would speak of the matter before him he would seem to be uneasy, and had a look in his eyes so peculiar; we noticed the strange laugh; I was not the only one who noticed it, but the ex-sheriff, Mr. McCurry, when he went out, noticed and spoke about the wild and peculiar laugh he had, which was more like a fiend than a man. Hearing that Coffeyville was a lively place, he came over there.

Q. Can you state if he had any trunk? A. Two, I understand.

Q. How was he about keeping secrets about what he did or possessed? A. Well, I don't know of his making a confidant of anyone with regard to his business.

Q. During the time he was there, did he borrow any tools or any instruments from any hardware store that you know of, or did you hear of it afterwards? A. I heard of it.

Q. Do you know what he did in the evening after you left the gallery? A. I do not; I usually left about half-past five; I suppose he spent his evenings there.

Q. Did you hear of his buying any chemicals of this drug store? A. Yes, sir.

Q. How often? A. I cannot answer that; probably once or twice.

Q. I mean any chemicals that he used for himself, and not for you? A. Yes, sir; I heard of his buying some twice.

Q. After he left there, was there anything found about his rooms, or any place where he had been that he had used? If so, tell the Committee what it was. How about his manner of leaving? A. I do not know that he had any intention of leaving any way soon, until after the explosion, when he began to talk about Rockford, or Rock Island (I forget the name of the place he claimed to be from), and the day he left, as I told you a short time ago, he wanted me to come down in the evening; he might get word from his people, and he seemed to be uneasy all the evening, and he came in in a rather excited manner, and said that he wanted to settle up so that he could take an evening train, although he had two hours or more before train-time.

Q. How about his coming in and asking for his money, and skipping out immediately? A. He did as soon as we had figured up the material; and I paid Mr. Hackelner what was due him, and he shook hands and left.

Q. Had he intimated at all, before this explosion, that he intended to leave you soon? A. Not to my recollection.

Q. How soon after he was accused of being connected with this explosion was it that he did inform you he expected to hear from his folks and would have to go away? A. It was perhaps either on the day of the explosion, the day after, or the day before.

Q. I understood you to say that on the day he left he said he might hear from his folks, and would have to leave that night? A. Yes, sir.

Q. Had there been any mail trains from the time he informed you he had heard from them? A. Yes, sir.

Q. Did he show you any letter or anything he had received from his folks? A. He did not.

Q. Do you know whether or not he was seen in company with Mr. Upham the day of the explosion, or the day before? A. I do not.

Q. Have you been informed he was seen in company with Mr. Upham the day of the explosion, or the day before? A. No, sir.

By Judge Webb: Q. Hackelner was this man's name, you say? A. Yes, sir.

Q. About what time do you say he first came to Coffeyville? A. Two or three weeks before the explosion.

Q. How soon after his arrival did you arrange with him to become interested in your gallery? A. He came in, I think, in the middle of the afternoon; between seven and eight o'clock I made arrangements with him.

Q. Same day? A. Yes, sir.

Q. In what part of the city of Coffeyville is your gallery situated? A. It is situated in the south part of the business part of the city.

Q. Where did Hackelier board during the time he was there? A. At the Willard hotel.

Q. You say that Mr. Upham was an amateur photographer? A. Yes, sir.

Q. And frequently visited your gallery and consulted with you in reference to the secrets of your trade or business? A. Yes, sir.

Q. Do you remember when you last saw him before the day of the explosion? A. Mr. Upham?

Q. Yes, sir. A. No, sir; I do not.

Q. Have you such recollection as to enable you to say considerable time had intervened between his last visit to your gallery and the explosion? A. Possibly it had been a week; I do not remember.

Q. Do you remember of his having been at your gallery at any time when Hackelier was there? A. I do not think Mr. Upham was ever there while Hackelier was there. I understand that he met with him once or twice and talked about photography.

Q. From whom did you understand that? A. I think it was from a conversation I had with Mr. Clifford.

Q. Where was the express office in charge of Mr. Upham with reference to the location of your gallery? A. It was a block and one-half north.

Q. Do you know whether your gallery was located upon the route between Mr. Upham's residence and the express office? A. It was just as near for Mr. Upham to go that way as any other, but he usually went a different road.

Q. The chemicals that are usually used by men in your business are first used for what purpose? A. For developing is the first thing we use them for.

Q. If I were to ask you to take a picture of some person after preparing your camera and plate upon which you would want to take the impression, which you denominate a negative, don't you? A. Yes, sir.

Q. Do you use any chemicals in preparing that upon which you take the negative? A. We formerly did, but since the dry-plate and the instantaneous process is used we do not use them.

Q. But after you have taken the negative from the rest? A. Removed it from the camera?

Q. In which it is placed at the time, then what is the first thing you do with the plate? A. We take it into the dark room, and take it out of the holder and develop it.

Q. You take it from the holder and exclude it from the light? A. Yes, sir.

Q. What is the first thing you do then? A. We develop the plate.

Q. What is the first process in developing the plate? A. The first process is to take three ounces of distilled water in a glass graduate, pour in one-half ounce of soda solution, one-half ounce of pyro solution; and that constitutes a normal developer.

Q. That forms the fluid—these several elements constitute the fluid in which you bathe the plates? A. Yes, sir.

Q. Are either of these articles explosive? A. No, sir.

Q. After you go through with that process, what is the next thing? A. The de-

velopment is then complete, but there is a white coating of bromide on the negative; we then put the negative in a solution of hypo-sulphite of soda and water.

Q. I want to know whether that compound is explosive? A. No, sir.

Q. Well, what next do you do? A. The next thing we do is to wash the plate and soak it in several waters, and hang it on a rack to dry.

Q. And when dry, what condition is it in with reference to being used, or before it is ready to be delivered? A. We retouch the negative, which is simply done by a Faber lead pencil or steel point; we print the picture after that.

Q. What do you use in the process of printing? A. We use albumenized paper; give it a silver bath, and fume it under ammonia.

Q. Now, then, what is necessary to do, after having printed the picture, in order to render it ready for delivery to your customers? A. The first thing is to trim to the size of the cards; then soak in the toning-bath, composed of chloride of gold, salt, and water; after that they go through a bath of hypo-sulphite of soda and water for thirty minutes, then through about eight changes of water, when they are ready to be pasted upon their mounts. After this is done, they are dried and burnished through a burnisher heated by alcohol.

Q. Then the process is complete? A. Yes, sir.

Q. Are these chemicals which are used in the various stages of advancement these which you have mentioned? A. Yes, sir.

Q. When is it you use the gun-cotton? A. The gun-cotton is used in magnesium flash-light. This flash-light is used for taking pictures at night. You set fire to the gun-cotton, and it lights up the room from a twentieth to a fiftieth part of a second, and you are enabled to make the exposure. This is only used for night work.

Q. In what bulk do they purchase that magnesium flash-powder? A. This magnesium flash-powder comes in two forms. You can buy it already prepared in boxes—I do not know what you call them; they looked like pill-boxes, and that is what I call them—or you can buy your gun-cotton and your second ingredient and use it that way; this last way is the cheapest.

Q. You have been for some time accustomed to its use? A. Yes, sir.

Q. For how long? A. The use of gun-cotton?

Q. Yes, sir. A. For fourteen years.

Q. During your experience in photography? A. Yes, sir.

Q. Have you ever had any disastrous results from the use of it? A. Never.

Q. Do you know what chemicals Mr. Upham had in his laboratory or office, at and immediately before the time of this explosion? A. Not altogether, no, sir; I have been in his dark room and noticed his bottles; I took no particular notice, as I knew about what was there.

Q. Will you mention those which you do know were there? A. I know he had some hydrochinon developer, and he had, a short time before the explosion, some flash-powder; not very much, however, I do not think; had some hypo-sulphite of soda and numerous other little articles, none of which are explosive at all except the flash-powder.

Q. Whether he had any of that at the time of the explosion, are you able to state? A. No, sir, not to swear to.

Q. At the time you are willing to say he had some, what quantity did he have? A. I cannot answer that. When he first got the magnesium flash-powder, he asked me to go to his brother's and make an exposure, and secure a negative of the family in the parlor; having secured this, he developed it, and announced that it was satisfactory. I know he had more flash-powder, as he told me if I wanted any I was welcome to use it, or a part of it.

Q. By what measurement did you buy magnesium flash-powder? A. If you buy it in (I call it pill-boxes), I usually buy a dozen, half-dozen or two dozen, as many as you want. I make my flash-powder; I buy an ounce of gun-cotton and another ingredient—I don't remember just what it is.

Q. Gun-cotton is the explosive of the two? A. Yes, sir.

Q. What is its bulk—so much as would weigh one ounce, would be how large a box? A. About an inch and one-half, or two inches square, I should say.

Q. What kind of a box—an ordinary paper box? A. Yes, sir.

Q. It or this is explosive if heated? A. Yes, sir.

Q. Do you know how destructive it is, how extensive its power? Suppose one of these ordinary boxes weighing an ounce be ignited, what would be the result? A. Well, I think we would all want coffins; I think it would blow the room up. If it was inclosed in a tin box, I am satisfied it would blow the whole building up, but if in a wooden box, I do not know.

Q. I want to know if ordinary sawdust is one of the ingredients you use in the process you indulge in as photographer? A. No, sir.

Q. Do you make use of bran or meal in the prosecution of your business? A. No, sir.

Q. Do you know whether this gun-cotton when sitting in a box will explode at all except it comes in contact with fire? A. That is the only way I have ever experimented with it.

Q. Do you know of any explosions of this substance of disastrous consequences, except when brought in contact with fire? A. No, sir; I know of none.

Q. I want to call your attention again to this man Hackelier. You do not remember yourself to have seen Mr. Upham and him in company? A. No, sir; I do not.

Q. But by your acquaintances you were advised that they did sometimes talk together? A. Yes, sir.

Q. Then you think Upham would have known the man if he had met him on the streets of Coffeyville, or visited him in his office? A. I do; yes, sir.

Q. You were in the habit of closing your gallery and retiring from active duties about what time? A. About half-past five, sometimes a little later.

Q. Did Hackelier depart from the gallery about the same time, or did he remain, there after you were gone? A. He usually stayed after I left.

Q. And which was there earlier in the morning? A. Hackelier.

Q. Mr. Hackelier was in Coffeyville upon the occasion of the explosion? A. He was.

Q. Left there very shortly afterwards? A. Yes, sir; the second or third day.

Q. Had he been talking of going any before? A. It was either the day of the explosion, the day after, or the day before, that he mentioned something about it.

Q. Which, you do not assume to say? A. No, sir; I do not.

Q. You say that after the explosion occurred there were some misgivings or suspicions connecting Hackelier with it? A. Yes, sir.

Q. How soon after the explosion did you hear that mentioned? A. The same evening.

Q. By whom? A. I could not tell you now, I talked with so many that evening, being one of the first ones at the house after the explosion.

Q. Do you know how soon after the explosion Hackelier was himself spoken to concerning it and its cause? A. I think I went down town again about 5:30—perhaps near six. I went to the gallery and began to tell Hackelier about it, and he said he had heard about it. I do not remember who he said told him.

Q. He said he heard about it? A. Yes, sir.

Q. Did you, yourself, have conversation with him upon that subject-matter, or hear others talking with him concerning it after that time? A. I talked with him concerning the matter several times.

Q. Do you remember anything he said in the course of your conversation with him? A. Nothing in particular; no, sir. He said it was a bad thing; 'twas too bad. Several times when I talked to him about it he would say this and laugh.

Q. You had noticed, before the explosion, some mental peculiarity about the man? A. Yes, sir; I thought him peculiar, to say the least.

Q. Did you observe different peculiarities about him after the explosion from those which you had observed before? A. Only those I have mentioned, except in regard to his being able to figure pretty rapidly when he was going away, which he could not do when he came here.

Q. When he was to pay you money he could not figure so well, but when he was to be paid money by you, he could figure well? A. Yes, sir.

Q. Is that not your experience with all men? A. That is perhaps true.

Q. Do you remember what individuals, and I ask you if you do to state all of them with whom you talked, or whom you heard talking, concerning the supposition or suspicion that Hackelier may have been connected with the explosion? A. I cannot state now; Mr. McCurry is one I remember in particular; so many spoke of that explosion in Coffeyville that I do not remember now.

Q. Is it not a fact now, Mr. Glass, that it was a theme of very general conversation, and there were very wonderfully conflicting ideas concerning it? A. It was, most certainly.

Q. Do you remember whether there was anything said connecting in any way the name of Hackelier with the explosion through the press? A. No, sir; I never saw anything of that kind, or heard of it.

Q. Do you know that it was suggested by any of your citizens or the officers of the county, that probably Hackelier was connected with the cause of the explosion? A. I do not know whether they did or not. It is my impression, however, that Mr. McCurry talked over the matter with Mr. Clifford. I had such confidence in Mr. McCurry's ability in such matters that I supposed he knew.

Q. They were sheriff and under-sheriff? A. No, sir; Mr. McCurry was the ex-sheriff, and Mr. Clifford was the marshal.

Q. Had McCurry's term of office expired then? A. It had, yes, sir.

Q. The view that was entertained among the citizens of your city as to who were the responsible agents in connection with that misfortune was largely dependent upon political affiliations and associations? A. Yes, sir.

Q. What were your politics at that time? A. Republican.

By Mr. Senn: You said, Mr. Glass, that you knew Mr. Upham had hypo-sulphite of soda and gun-cotton in his possession? A. No, sir, you misunderstood me; I said flash-powder, hydrochinon, developer, and hypo-sulphite of soda.

Q. You said you knew he had these materials in his possession? A. I said a short time before he did, and I think he had at the time of the explosion.

Q. I believe you said you had seen these in his dark room? A. Yes, sir.

Q. What kind of a room was that? A. His dark room was a room at the southwest corner, I think, of the summer kitchen.

Q. How long before the explosion had you been in the dark room? A. I think perhaps ten days; I do not remember now; I was in the habit of going there once in a while.

Q. You are sure of that point are you? A. Which point?

Q. About having been there ten days previous to this explosion? A. That is my impression.

Q. How long ago since you were notified, or had any knowledge of being required to testify here? A. On the 6th of the month I believe; I had an idea before that that I would be subpoenaed, as I had a conversation with Mr. Clifford before he came up, but he told me he did not think they would call me; but I was subpoenaed on the 6th.

Q. Have you had opportunity to read the testimony that has been offered here? A. Yes, sir.

Q. Do you remember of reading that Mr. Upham testified that he built that dark room the day before the explosion occurred? A. I do not know as I have read Mr. Upham's testimony. I read most of the testimony in the start before I came up here; after I came here I did not have time to look over the papers.

Q. Did you not read there that he testified here that he had no such material in his possession at that time? A. No, sir; I have not read Mr. Upham's testimony; I have had an opportunity to, but I have heard the story so much in Coffeyville—that is, the dynamite explosion—that I had not taken much interest in his testimony; thought I knew just about what it would be.

By Mr. Curtis: Q. You say you were in his dark room after it was built and before the explosion? A. Yes, sir.

Q. You also went out and had an experiment with him about this flash-powder; that is, saw how it worked? A. I did.

Q. And he told you if you needed some you could have it? A. Yes, sir.

Q. Now, what would have been the effect of the explosion of an ounce of that gun-cotton, in that little room? A. I am not prepared to answer that question.

Q. To the best of your ability? A. I do not know exactly how these cartridges are prepared; that is, how much gun-cotton is put in them, but I should think that if a package of perhaps a dozen or so had exploded, would have torn the dark room to pieces.

Q. You said in your experience that you had no trouble with gun-cotton. I will ask you if you knew of its explosive qualities, and was very careful in using it? A. That is the case.

Q. You stated to the other side that there was much dependent upon the political feelings of the parties there, with reference to their opinions in regard to the explosion. I want to ask you if, after the thing settled down, if it had not been the general opinion of the people there that politics had nothing to do with that circumstance? A. It has been the opinion of part of the people, and part of the people it has not.

Q. What part were they that thought politics had something to do with it? A. I do not know they were republicans or of what political set they were; they were divided about it.

Q. Do you know any union labor man who believed that politics had anything to do with it? A. I cannot say that I do.

Q. Would the fact of your being a republican have any influence on your testimony, one way or the other. A. Not a particle.

The witness was excused.

Q. FRANK D. BENSON, being duly sworn to testify to the truth, the whole truth, and nothing but the truth, upon the subject-matter under investigation, testified as follows:

Examined by Mr. Curtis: Q. You may state your name to the Committee, please. A. Frank D. Benson.

Q. Where do you live? A. Coffeyville, Kansas.

Q. What is your business? A. I am a druggist.

Q. What was your business in the month of October, 1888? A. I was a druggist.

Q. Ask you to state if you knew a man by the name of Hackelier, just described by the witness? A. I did not know him by that name; I knew the man, but did not know what his name was at that time.

Q. State how long you knew him before the explosion at Coffeyville, which occurred October 18th, 1888. A. I think it must have been ten days; something like that.

Q. After you became acquainted with him, state how often he visited your drug store, and what you know about his being well versed in chemistry. A. He was in there quite frequently; I think he came in two or three times a day; he always came in to buy cigars two and three times a day, and would come in in the evening sometimes. He was well versed in chemistry, judging from the conversation I had with him.

Q. I will ask you to state if at any time before the explosion he purchased any articles from you? A. Yes, sir; he did.

Q. State what it was, and if there was anything peculiar in the way it was purchased. A. He bought a solution of sub-acetate of lead.

Q. Was there anything explosive about that? A. No, sir; I think not.

Q. State what he said he wanted it for. A. He said he wanted to use it for his eyes; he said he had weak eyes, and wanted it for that use. It is something that is never used for anything of that kind.

Q. Did he come back again? A. He came back the next day and got three ounces more.

Q. What, if anything, did he say then? A. I questioned him as to what he was going to do with it, and he said he used it in his eyes. I knew that he did not, because it was never used for anything of that kind.

Q. Then he bought eight ounces? A. Yes, sir.

Q. How long was it before the explosion? A. I think three or four days.

Q. Did he come into your store for anything else? A. A few days before the explosion he wanted a box.

Q. State what kind of a box he wanted, and what you did. A. He said he wanted a small box. I took him in the back room and showed him the boxes that we had, and none of them would suit him. I think he said he had a box that he could cut down to the size that he wanted to use.

Q. State to the Committee what, if anything, he had in the way of eye-glasses. A. He wore glasses.

Q. Did you notice anything peculiar about his conduct? A. No, sir; nothing strange.

Q. Did you hear anything about his borrowing tools at the hardware store? A. I did afterwards — yes, sir.

Q. Did he buy any other compounds save and except those mentioned? A. I think he bought other things; I do not remember now what they were, but none of them were explosive; I cannot remember what they were.

Q. How long was it after the explosion, before he left, if you know? A. I think it was the second day after the explosion.

Q. State if he wore a beard the last time you saw him. A. I think he wore a beard every time I saw him.

Q. What color? A. I think it was gray and his hair was gray.

Q. Was it black and turning gray? A. Yes, sir; it was not what you would call a gray, it was rather a dark gray.

Q. What was the size of the box this gentleman seemed to want? A. I do not think he said; I showed him what boxes were there; he looked at them. There were

probably ten to twenty-five boxes; and said there was nothing there that would suit him. There were large boxes and small boxes; he wanted a box of a peculiar shape, and did not take any of them that we had.

Q. Did he say what shape he wanted? A. He said, I think, that he had a box that he could cut down to the size he wanted.

Q. From what he said or did did you have any idea of the kind of box he wanted? A. I think he wanted a small box; we had boxes from six inches square up to a foot and one-half. I think he wanted a small-sized box, and there was a certain shape that he wanted that we did not have.

Q. Did you see him after the explosion? A. I did.

Q. Did you have any conversation with him? A. No, not myself; I saw him in the store that evening, and I think he was in the next day, but I did not mention the explosion to him.

Q. Was it mentioned in his presence? A. Yes, sir, it was.

Q. What were his actions at that time? A. I did not see him myself, but the man who mentioned it to me said he acted very strange; that was Mr. McCurry.

Q. Do you know whether or not he was with Mr. Upham at any time before the explosion? A. No, sir, I did not; I heard he was.

Q. Did he tell you at the time he inquired for the box what he wanted with it? A. No, sir; he did not.

Q. When he came back for the second quantity of lead he purchased, did you tell him it was not good for the eyes. A. I did, but he said he knew how to use it.

Q. Did he still insist that he was using it for his eyes? A. Yes, sir.

Q. Why did you insist that he was not using it for his eyes? A. Because I knew it was not used for the eyes.

Q. Why did you claim it was not used for the eyes? A. Because it would put his eyes out.

Q. Now he came back for a second four ounces of it? A. Yes, sir.

By Judge Webb: Q. The only purchase which you mentioned of Mr. Hackelier from you, consisted of four ounces of sub-acetate of lead? A. Yes, sir, at one time, and four ounces the next day.

Q. What are the uses to which it is applied? A. It is used on the skin principally—in skin diseases.

Q. Are there any other uses so far as you know which it subserves? A. No, sir; I think that is about all.

Q. You do not remember of any other article he purchased from you, so as to designate the article itself? A. No, sir; he bought several things, but I do not remember.

Q. I think you stated that in any purchase which he made from you, he bought no explosive substance? A. No, sir.

Q. When he came in and asked for a box, you had none that suited him? A. No, sir.

Q. He did not tell you the use to which he wanted to put it? A. He did not.

Q. The subject of the explosion was never one of conversation there by those in his presence? A. He was in front of the store; I was inside when a gentleman asked him about it.

Q. Do you remember when you had occasion to communicate to anyone the fact of Hackelier's having made this purchase? A. That evening—the evening of the explosion.

Q. To whom did you then relate it? A. I told Joe McCurry; I think, probably, Jesse Morgan and Will Layton.

Q. You mention that as a fact within your recollection, at the time or soon after

the explosion, when it was the subject of general discussion among little groups that assembled there? A. Yes, sir.

By Mr. Curtis: Q. I understand you to say, also, that he was an expert in chemistry? A. He was.

Q. You had other clerks in your store, did you not? A. Yes, sir.

Q. Are you sufficiently acquainted with chemistry to know whether or not the various materials he purchased from you could not have been used in the formation of an explosive? A. Well, the only thing would be the lead, and it could be used as a basis, in connection with something else.

Q. He might have purchased other materials from others, and A. Yes, sir.

By Judge Webb: Q. How did you become advised of the fact that he was well skilled in chemistry? A. In our conversation, when he was in our store.

Q. You did not deduce your conclusion from the use he wanted of the articles he bought of you? A. No; I knew he lied to me at the time, but in other conversations with him I knew that he was an expert.

Q. Did you learn whether he was experimenting upon any subjects involving scientific learning? A. Not until after he went away after the explosion occurred.

Q. Did you learn it afterwards? A. I learned that he had been down at the photograph gallery, and he had been getting these tools of that kind.

Q. That he had been experimenting at the gallery? A. Yes, sir.

Q. To what gallery do you refer? A. To Mr. Glass's. I learned he was doing something there on this zinc plate; I do not know what it was.

By Mr. Henderson: Q. Do you know whether he was acquainted with the explosion, or not? A. No, I do not.

The witness was excused from further attendance.

The Committee decided to hear no more testimony until March the 2^d P. M. This announcement was made to all witnesses who had not been present for further attendance, and they were directed to be present at that time. The Committee adjourned until to-morrow at 2 o'clock P. M.

TOPEKA, Thursday, March 12

Committee convened pursuant to adjournment; quorum present.

Senator Kimball announced that he had secured the senate chamber tenant governor's rooms for the use of the Committee during the course of the investigation. The sergeant-at-arms was instructed to see that the tables in use by the Committee were returned to the owner, and that the rooms be relinquished.

The Committee adjourned to meet at 10 o'clock, to-morrow morning.

TOPEKA, March 13 — 10 o'clock A. M.

Committee convened pursuant to adjournment; a quorum present.

The witness Stewart, who appeared on yesterday, was excused from further attendance before the Committee until Wednesday, March 25, 1891, at 10 o'clock A. M.

The Committee adjourned to meet at the senate chamber Tuesday, March 24, at 2 o'clock P. M.

TOPEKA, KANSAS, Tuesday, March 24, 1891.

Committee convened at the Senate Chamber pursuant to adjournment; a quorum present. The following proceedings were had:

Chairman Carey stated that he desired to make a correction in the proceedings of the Committee as published on page 178, in the matter of the admission of the affidavit of Mr. French in testimony. Mr. Carey said that the minutes made him say that he was in favor of allowing the affidavit to be received as testimony, while what he did say was, that such testimony would not be admitted in courts; and, there being no evidence that there had been any effort made to have the person present to testify, he thought it a dangerous precedent to establish, in view of the fact that it was easier to get affidavits than to get some witnesses; therefore, if he was permitted to vote, he should vote against the admission of the affidavit in evidence.

Senator Kimball said that the record in reference to the matter referred to failed to show that he voted against admitting the affidavit in evidence, and he desired to be recorded as voting against the admission of evidence of that kind.

Mr. J. G. COUGHER was recalled, and testified as follows:

Examined by Mr. Curtis: Q. You may state your name to the Committee. A. J. G. Cougher.

Q. You testified before this Committee before, did you not? A. Yes, sir.

Q. Do you know Anna Cougher? A. Yes, sir.

Q. What relation, if any, is she to you by marriage? A. She is my wife, as far as I know — or was.

Q. You may state to the Committee what work, if any, she did in the Labor Bureau, in 1888? A. She came there and helped considerably. I was sick a good part of the time, and she came there and worked at my desk some, and helped me considerably.

Q. I will ask you to state, did you examine yourself or have read to you in the Labor Department an affidavit in regard to the connection of C. A. Henrie with the Coffeyville explosion? A. No, sir.

Q. I will ask you to state if you asked Mr. Henrie if he would swear to such an affidavit, to which Henrie replied that he would swear to anything, and that was the only way out of it? A. There was a conversation carried on there somewhat of that nature, but I can scarcely recall the exact tenor of it.

Q. Did you read it? A. No; I did not read the affidavit.

Q. Did you ask him to swear to such an affidavit? A. No, sir; I did not.

Q. Then after you read the affidavit, did you ask him to swear to it, to which he replied, that he would swear to anything; that that was the only way out of it? A. I do not recall any conversation of that kind.

Q. Did Mr. Henrie at any time tell you that he had any connection with the explosion at Coffeyville, and that was what got him his job? A. No, sir.

Q. I will ask you to state if you ever at any time told your wife, Anna Cougher, that you knew of the explosion at Coffeyville, and that the object was to deposit a box in the office of the *Courier* at Winfield? A. No, sir; not to my recollection.

Q. Did you ever tell your wife that C. A. Henrie was the man who delivered the box at Coffeyville? A. Not that I recollect of.

Q. Did Mr. Henrie ever say to you in the presence of your wife, while talking about the charges contained in the red book, that he was at Coffeyville, and give you the name of the hotel at which he stopped? A. Not to my recollection.

Q. I will ask you to state to the Committee if it is not a fact that you had several conversations with Mr. Henrie in regard to the explosion at Coffeyville, and he at all times told you he did not know anything about the matter? A. No, I do not recol-

the explosion, when it was the subject of general discussion among little groups that assembled there? A. Yes, sir.

By Mr. Curtis: Q. I understand you to say, also, that he was an expert in chemistry? A. He was.

Q. You had other clerks in your store, did you not? A. Yes, sir.

Q. Are you sufficiently acquainted with chemistry to know whether or not the various materials he purchased from you could not have been used in the formation of an explosive? A. Well, the only thing would be the lead, and it could be used as a basis, in connection with something else.

Q. He might have purchased other materials from others, and from your own? A. Yes, sir.

By Judge Webb: Q. How did you become advised of the fact that Hackelier was well skilled in chemistry? A. In our conversation, when he would come in the store.

Q. You did not deduce your conclusion from the use he wanted to make of the articles he bought of you? A. No; I knew he lied to me at the time he told me that, but in other conversations with him I knew that he was an expert chemist.

Q. Did you learn whether he was experimenting upon any subject at all, in matters involving scientific learning? A. Not until after he went away; not until after the explosion occurred.

Q. Did you learn it afterwards? A. I learned that he had been experimenting down at the photograph gallery, and he had been getting these tools and things of that kind.

Q. That he had been experimenting at the gallery? A. Yes, sir.

Q. To what gallery do you refer? A. To Mr. Glass's. I learned he had been making something there on this zinc plate; I do not know what it was.

By Mr. Henderson: Q. Do you know whether he was acquainted with C. A. Hendrie, or not? A. No, I do not.

The witness was excused from further attendance.

Committee decided to hear no more testimony until March the 24th, at 2 o'clock P. M. This announcement was made to all witnesses who had not been excused from further attendance, and they were directed to be present at that time.

Committee adjourned until to-morrow at 2 o'clock P. M.

TOPEKA, Thursday, March 12 — 2 P. M.

Committee convened pursuant to adjournment; quorum present.

Senator Kimball announced that he had secured the senate chamber and lieutenant governor's rooms for the use of the Committee during the continuance of this investigation. The sergeant-at-arms was instructed to see that the furniture and tables in use by the Committee were returned to the owner, and the possession of the rooms relinquished.

The Committee adjourned to meet at 10 o'clock, to-morrow morning.

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The Committee adjourned to meet at the senate chamber Tuesday, March 24, at 2 o'clock P. M.

TOPEKA, KANSAS, Tuesday, March 24, 1891.

Committee convened at the Senate Chamber pursuant to adjournment; a quorum present. The following proceedings were had:

Chairman Carey stated that he desired to make a correction in the proceedings of the Committee as published on page 178, in the matter of the admission of the affidavit of Mr. French in testimony. Mr. Carey said that the minutes made him say that he was in favor of allowing the affidavit to be received as testimony, while what he did say was, that such testimony would not be admitted in courts; and, there being no evidence that there had been any effort made to have the person present to testify, he thought it a dangerous precedent to establish, in view of the fact that it was easier to get affidavits than to get some witnesses; therefore, if he was permitted to vote, he should vote against the admission of the affidavit in evidence.

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Examined by Mr. Curtis: Q. You may state your name to the Committee. A. J. G. Cougher.

Q. You testified before this Committee before, did you not? A. Yes, sir.

Q. Do you know Anna Cougher? A. Yes, sir.

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Q. Did you read it? A. No; I did not read the affidavit.

Q. Did you ask him to swear to such an affidavit? A. No, sir; I did not.

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Q. Did Mr. Henrie at any time tell you that he had any connection with the explosion at Coffeyville, and that was what got him his job? A. No, sir.

Q. I will ask you to state if you ever at any time told your wife, Anna Cougher, that you knew of the explosion at Coffeyville, and that the object was to deposit a box in the office of the *Courier* at Winfield? A. No, sir; not to my recollection.

Q. Did you ever tell your wife that C. A. Henrie was the man who delivered the box at Coffeyville? A. Not that I recollect of.

Q. Did Mr. Henrie ever say to you in the presence of your wife, while talking about the charges contained in the red book, that he was at Coffeyville, and give you the name of the hotel at which he stopped? A. Not to my recollection.

Q. I will ask you to state to the Committee if it is not a fact that you had several conversations with Mr. Henrie in regard to the explosion at Coffeyville, and he at all times told you he did not know anything about the matter? A. No, I do not recol-

lect of anything of that kind transpiring between us. I do not remember of ever having conversation with him about it.

Q. By Judge Webb: Q. Do you remember about the time that Mr. Henrie was appointed to the position which he holds in the Labor Bureau? A. Well, I never knew of his appointment, as I understand appointment.

Q. Then I will ask you if you remember the fact of his being employed there, about the time that his employment began? A. Yes, sir.

Q. As near as you can remember, what was the date? A. It was either the first of March or the first of April of 1889; that is, subsequent or after the meeting of the legislature in 1889.

Q. Before his engagement there, did you have conversation with him about his being so employed? A. Yes, sir.

Q. In the conversations between you, was anything said about any affidavits? A. Not at that time.

Q. Before his employment, do you remember having suggested to him that you thought his employment was doubtful? A. Yes, sir, I do.

Q. Do you remember about when it was that you made such suggestion? A. It occurs to me that it was during the session of the legislature.

Q. What reply did he make to you then? A. I do not remember the exact words, but in substance it was that they could not go back on him; they would have to give him the job. This was when the legislature of 1889 was in session.

Q. State whether Mr. Henrie assigned any reason why they would not go back on him, or for what reason he was to be given the job? A. Well, he did not assign any reason; but we both understood the reason.

Q. Well, what was it? A. The reason was that he had been promised it by Mr. Booth and Mr. Hutchins; it was commonly understood between them.

Q. On what account, or for what reason was it understood that the promise was made to him? A. For services rendered to them as officers of the republican central committee.

Q. Do you know the particular character of services, which he was to be given a job on account of? A. As I understand, it was for compiling the expose of the organization known as the Videttes, in deciphering the secret work, etc.

Q. You say you did not yourself read any affidavits pertaining to Henrie's conduct or connection with the Coffeyville dynamite explosion? A. No, sir; not to my recollection.

Q. Did you have any conversation with Henrie concerning any affidavit or affidavits made and furnished by him pertaining to that matter? A. Pertaining to the Coffeyville affair?

Q. Yes, sir. A. No, sir.

Q. Or pertaining to the connection of any person with it? A. No; no affidavit or any conversation pertaining to anything relative to the Coffeyville affair that I remember of.

Q. Did you have any conversation with him upon that subject? A. I cannot say positively that I did or did not; we may have had conversation upon the subject, but I do not remember of anything special.

Q. You heard Mr. Henrie say something in reference to his having been at Winfield? A. Yes, sir.

Q. Did you talk with him more than once upon that subject? A. I do not recollect that I did.

Q. Where did that conversation occur? A. I think it occurred in the office of the labor bureau.

Q. Do you recollect about the time? A. I only recollect this in regard to the

matter: it was upon reading the matter published in the red pamphlet that we got from the historical society.

Q. You had that in the office of the bureau? A. We borrowed it.

Q. Was that about the time that Mrs. Cougher was more or less employed in the office? A. I think it was.

Q. Do you remember having a conversation with Mr. Henrie concerning an affidavit which he was to make of any kind, without my mentioning the subject it pertained to? Do you remember of talking with him upon the subject of his making an affidavit? A. I remember something in regard to affidavits. Mr. McCray had come in there several times on seemingly special business to see Mr. Henrie. I just remember of hearing the word "affidavits" spoken of, and yet it runs in my mind, it is so very vague, as I gave it so little attention—Mr. Henrie explained to me one day something of the nature of them, which was, if I recollect properly, to exonerate Governor Humphrey and the committee from any complicity in arranging for his appointment; and it was to relieve them of any of the opprobrium that was then being thrown upon them as being participants in the dynamite affair.

Q. Are you able to say whether that connection was, in point of time, before or after Mr. Henrie was employed in the office? A. It was after. It was while he was employed in the office.

Q. How many times do you remember Mr. McCray having called there upon that mission? A. I have the impression of only twice, that I remember of.

Q. Do you remember whether he brought with him any papers which he delivered to Mr. Henrie? A. I do not.

Q. Do you know Dick Walker? A. The United States marshal?

Q. Yes, sir. A. I know him when I see him.

Q. Do you remember of having seen him at any time about the labor bureau? A. No, sir.

Q. Does he usually wear a mustache? A. I can hardly tell you. I know he is a very large man; I never paid much attention to him.

By Mr. Curtis. Q. The conversations that you heard between Mr. McCray and Mr. Henrie were after the publication of the little red book, were they not? A. I cannot say exactly whether they were after the publication or not; the accusation first came out in the *Non-Conformist*.

Q. It was after these charges were made? A. Yes, sir; after they were published.

By Senator Kimball: Q. That is, the charges that Henrie was accessory to this Coffeyville explosion. These are the charges you referred to? A. The charges that Henrie received his appointment for complicity in that affair.

Q. And these affidavits that you refer to were to be made for the purpose of refuting the idea that he had any connection with that affair, or that he was appointed because he had any connection with it? A. No, sir.

Q. Well, what was the purpose? A. As I understand it, the affidavits were to be made to remove any suspicion, or relieve Governor Humphrey, Mr. Booth and Mr. Hutchins from the accusation that he was appointed at their instigation as payment for anything, without regard to the Coffeyville explosion; that they were not a party to the appointment.

Q. The only opprobrium that rested upon anybody for the appointment of Mr. Henrie was in connection with the charges that he had been appointed by reason of his complicity with that affair, was it not? A. Yes, sir; that was the accusation made.

Q. It was by reason of that accusation, that charge that had been made that the opprobrium did, so long as the charges remained uncontradicted, rest upon these parties that had been named in connection with it; is not that so? A. I did not

consider it so. I considered the opprobrium vested from the fact that the governor and other gentlemen did make use of that means of paying him for any services rendered.

Q. That is where you considered the opprobrium came in? A. Yes, sir.

By Mr. Curtis: Q. You knew, did you not, that Henrie was an applicant for a position in the labor bureau two or four years before he was appointed? A. No, sir.

Q. Was he not two years before? A. Not that I know of.

Q. For a clerkship, was he not? A. Not to my knowledge.

Q. By Judge Webb: Q. The charges made in the *Non-Conformist* were that Henrie did participate in effecting the explosion at Coffeyville, and that he did it at the instance of Booth, Hutchins and Ed. P. Greer, were they not? A. I believe that was the substance.

Q. And that for having done this in compliance with their wishes he had been rewarded by this employment in the labor bureau; that was the charge, was it not? A. I believe so.

Q. Then the affidavits were to be made for the purpose of exculpating all these parties from the charge? A. As I understand, the affidavits were to be made for the purpose of exculpating all these parties from any complicity or prearranged plan to repay him for whatever services he had done. As far as the services are concerned, I know of only one.

Q. You say to Senator Kimball that the charges in the paper created the necessity for the affidavit, and there was an end to be subserved by their use; now what was the end to be subserved? A. I do not know whether I get your meaning or not, or you mine; the end to be served was the keeping of the promise that they had made Henrie, as I understand it, for compiling the Vidette expose; that is all I know.

Q. Then your understanding was that the affidavits were to dispute the fact that he was given that appointment because of his services in connection with the expose of the Videttes? A. That was my understanding.

By Senator Kimball: Q. Did you not also understand that the affidavits were to go further, and show, as a matter of fact, that Henrie and these other parties had no connection whatever with that dynamite outrage? A. Seems to me that part of it was included, or it was understood to be thus far-reaching.

By Mr. Carey: Q. Did you understand these affidavits to be true statements of facts, or were they made to simply cover up and relieve certain parties from suspicion that was cast upon them? A. I did not understand them to be a statement of facts, but made simply for the purpose of relieving parties from suspicion cast upon them.

By Senator Kimball: Q. Did you understand that the affidavits were to state anything which was untrue for the purpose of shielding anyone from suspicion? A. No, sir.

Q. You understood that the affidavits were to state the truth, did you? A. So far as I understood them, that was the sense.

Q. And this truth was to be stated for the purpose which you have already related? A. To exonerate all parties.

By Senator Carroll: Q. At whose instance was Mr. Henrie appointed, if you know? A. I only know that Mr. Booth and Mr. Hutchins both stated to me that he was to be given a position in the labor bureau.

By Judge Webb: Q. I will ask you to repeat again Henrie's reply to you when you expressed to him some doubt about his getting his employment in the bureau. A. Well, I cannot give his exact words.

Q. Well, the substance. A. He declared emphatically that they would not dare go back on him.

Q. Did he at that time tell you why, or what hold he had upon them? A. No; he did not.

Q. Do you know whether he had any? A. I presume I did.

Q. Well, what was it? A. For services rendered in translating the secret signs of the Videttes, and compiling the expose of it.

By Mr. Crumley: Q. Did you understand that to be a great secret? A. Which?

Q. The expose. A. Why, yes, sir.

Q. It had been exposed before this time, had it not; before this conversation? A. It had been made public.

Q. Then it was not a secret at that time? A. The means by which it was procured was a secret, and when he was performing the work it was a secret, because he was assigned a private room in the Windsor, and no one was permitted admission there except Mr. Booth, Hutchins and himself.

Q. I understood you to state when you were asked first by Mr. Carey if you understood the affidavits to be true, I understood you to say that you did not understand them to be true, but simply made to relieve certain parties from suspicion; and Senator Kimball followed this, and wanted to know if these affidavits were not true, in your opinion, and I understood you to say then, that you thought they were. A. It is a matter of record, but I will explain if you care to have me do so.

Q. Explain, if you wish. A. I said that I did not understand the affidavits to be a statement of facts, but only the exoneration of certain parties in connection with his appointment.

Q. Please state the answer you gave Senator Kimball in regard to the truth of the affidavits, if you remember. A. I believe that was substantially the same answer—that they were true so far as they related to the parties they were intended to exonerate.

By Senator Kimball: Q. Now, the affidavits, as you understand it, were to relieve the governor from any opprobrium that might rest upon him by reason of the charge that he was a party to that trade; the affidavits were to show that the governor had nothing whatever to do with this promise that had been made to Mr. Henrie? A. So I understood.

Q. And you understood that was the truth; that the governor did not have anything to do with these promises, did you not? A. Yes, sir; that is what I understood.

Q. Did you understand further that Henry Booth and Bion Hutchins had promised to secure a position for Henrie in the labor bureau? A. Yes, sir.

Q. But you did not understand there was to be anything in the affidavits that was to show whether or not that was so? A. No, sir.

By Mr. Carey: Q. Now, the Committee is to understand that there was no one included in these affidavits of exoneration except Governor Humphrey? A. I do not know that to be the case. My understanding was that Governor Humphrey, Captain Booth and Bion Hutchins were also included as parties.

By Senator Kimball: Q. And from what was Captain Booth and Bion S. Hutchins to be exonerated? A. From the accusation of farming out government places for party services.

Q. Well, you understood, you say, that Bion S. Hutchins and Captain Booth had promised this place to Henrie, did you not? A. Yes, sir.

Q. And did you understand that the affidavit that Henrie was to make was to say they had not made any such promises? A. That was my understanding.

Q. How is it, then, that you state to the Committee that you understood that the

affidavit was to be true? How could it be true—in other words—that Hutchins and Booth had made these promises to Henrie, that Henrie was to have the place in reward for these services, and the affidavit show that they had made no such promises? A. When I spoke of them being true, I more particularly referred to the additional implication of these men in the Coffeyville affair; and I did not know how the affidavits were worded.

Q. You understood that the affidavit was to be false so far as it exonerated Booth and Hutchins from promising Henrie an office, and was to be true so far as it exonerated all the gentlemen named from any complicity in the Coffeyville affair? Is that it? A. That is about it. The main point was the Coffeyville affair.

Q. And that part of the affidavit was to be true? A. Yes, sir.

Q. You understood that that part of the affidavit, so far as it exonerated Booth and Hutchins from promising Henrie a position, was not to be true? A. I was not supposed to be interested in the affidavits in any way whatever; while I knew that Booth and Hutchins had done so, for they had stated to me so; but the idea of the affidavit, as I understood it, so far as Henrie was concerned, was, he was not presumed to recognize that, in making an affidavit that relieved them from any complicity in the affair.

Q. In other words, he was to make an affidavit that, in so far as it exonerated these men from promises made, was to be untrue? A. To divide it that way that would be the result.

Q. You never saw the affidavits yourself, did you? A. No, sir.

Q. And you did not know what they did, in fact, contain? A. No, sir.

Q. Did anybody ever tell you what was in the affidavits? A. All I got was from Mr. Henrie.

Q. What did he tell you was in them? A. Simply they were to have that effect; that was to be the effect of them.

Q. To have what effect? A. To relieve these parties from any complicity in the affair.

Q. Henrie told you then that the affidavits were to be made for the purpose of relieving Governor Humphrey, Mr. Booth, and Mr. Hutchins from any complicity in the Coffeyville explosion; and for the further purpose of exonerating them from the charge that he had been given his office as a reward for any connection with that, or for any other party services. Is that the substance of what he told you? A. With the exception of the mentioning of the Coffeyville explosion; he never recognized to me that he had performed any services of that character.

Q. Was it from these statements of Mr. Henrie to you that you have drawn the inference, or understanding as you have stated it, of the purpose for which the affidavit was to be made? Was it from these matters that Henrie stated to you? A. Yes, sir.

Q. You never heard anyone else say what the purpose of getting up these affidavits was, did you? A. No, sir.

By Judge Webb: Q. Booth and Hutchins each told you that they had promised Henrie a place in the bureau? A. Yes, sir.

Q. Henrie told you that he was to have a place in the bureau? A. No; I do not know that he did in so many words.

Q. You told him that you thought it was doubtful whether he would get it? A. I made that remark to him one day.

Q. And he replied, they dare not go back on him? A. Something to that effect.

Q. You understood from him that he was to make an affidavit that he had not received his employment as compensation for political services rendered the republicans at the instance of Booth and Hutchins? A. He was to make an affidavit ex-

operating these parties from obtaining employment for him for any services that he had rendered.

Q. Was anything to be said at all, in the affidavits, about the Coffeyville explosion? A. I do not recollect that the matter was mentioned at all, when he spoke to me.

Q. Now, when Henrie talked to you about the affidavits, you were advised then by Booth and Hutchins that Henrie was to have the place? A. Henrie then occupied the place.

Q. You had been advised of that fact before he occupied the place, that he was to have it? A. Yes, sir.

Q. Did you understand that that place was given to him because of the services he had rendered Booth and Hutchins? A. I understood the place was made and an appropriation sneaked through the legislature, and two smaller appropriations, of \$500 each, at the last moment, in addition to the contingent fund, as it was necessary to pay Henrie his salary.

Q. And that was done on account of the services Henrie had rendered to the republican committee in the campaign before? A. Yes, sir.

Q. When Mr. Henry told you the character of the affidavits which he was to make, instead of your supposing and believing it to be true, you knew it would be false, didn't you? A. Yes, sir; in part, at least.

Q. Then I want to ask you now if at that time you did not ask Henrie if he could make such an affidavit as that, and he replied that he could make any kind of an affidavit? A. The whole matter is so faint in my recollection—it seems to me that such words did pass between us.

Q. Did you not then say to him, "Can you swear to that?" to which he replied, "I can swear to anything?" A. I cannot state for a fact what his words were exactly. I remember something of words or conversation to that effect, but I cannot say as to the exact words.

By Mr. Curtis: Q. It is a fact, is it not, that at the time you told Mr. Henrie you did not believe that he would get this position you were also after the position of chief of the bureau? A. Yes, sir, I believe it was.

Q. Henrie and Booth, or Hutchins and Henrie, were in favor of you having the place or position of chief in the bureau? A. I think it was after that matter had been settled—yes, sir, my recollection is, if it serves me right, it was after this matter had been settled; and Mr. Betton is a very uncertain man in a great many things; I had doubts that Mr. Betton would get out of taking Mr. Henrie in; he was not in favor of Mr. Henrie.

Q. Were not Mr. Henrie and Mr. Hutchins in favor of your appointment as chief of the bureau? A. I do not know anything about what Mr. Booth's feelings were in the matter.

Q. I asked you about Henrie and Hutchins. A. Henrie was, and Hutchins said to me: "We are going to throw old Betton out and make you commissioner and Henrie assistant."

Q. And that matter occurred several months before you had the conversation with Henrie about the affidavits? A. Yes, sir.

Q. You had no talk with Henrie about the affidavit until after he was placed in the department, or until after this expose was published in the *Non-Conformist*, or in the red book? A. Yes, sir.

By Mr. Carey: Q. You stated that Mr. Betton was opposed to Mr. Henrie's appointment to position under him, did you not? A. Yes, sir; he was unfavorable.

Q. Then why, as you understand it, was he appointed? A. Because Mr. Betton had to succumb to the powers above.

By Senator Kimball: Q. This affidavit that Mr. Henrie was to make at that time was to be published, as you understood it? A. Why, that was the impression I got; I do not know as I ever heard it spoken.

Q. You understood they were getting up for publication some affidavits and documents as an answer to these charges that had been made? A. That was the impression that I had.

Q. And that Henrie's affidavit was to be used as a part of that answer? A. Yes, sir.

Q. This affidavit, as you understand it, was gotten up in the summer of 1889? A. Yes, sir.

Q. Was it in August? A. It seems to me that it was, although I would not be sure.

Q. Did you ever see this publication after it came out? A. No, sir; I never saw it; never knew it was published.

Q. I will ask you to read this affidavit which is published here in the record of the proceedings of this Committee on page 210, and is marked Exhibit 31, and state whether that is the affidavit to which Mr. Henrie referred at the time? [Witness looks at the affidavit.] A. I never saw the affidavit at all, as I stated before.

Q. You never knew of his making but one at that time, did you? A. No, sir.

Q. You understand that this is a copy of the affidavit which he did make at that time? A. No, sir, I do not; I never saw the affidavit he made, or that, before.

Q. So whether this is or is not a copy of the affidavit which he made at that time you do not know? A. No, sir.

Q. Well, if it is a copy of the affidavit that he made at that time, is there anything in it, to your knowledge, which is untrue? A. No; I have only given it a casual glance.

Q. Look it over as carefully as you please, and state if there is anything in that affidavit which you know to be untrue. [Witness reads the affidavit.] A. There is nothing in that which I know to be untrue.

Q. I will ask you if there is anything in that affidavit which you believe to be true, and if so, to state what it is? A. I can speak—excluding that part referring to George W. Poorman, there is none of the rest that I believe to be untrue.

Q. You believe, then, that the affidavit states the truth in everything except the reference to George W. Poorman? A. So far as I know.

Q. Do you believe the affidavit is untrue in the statement that it makes in regard to George W. Poorman? A. I cannot say.

Q. That is to say, you do not know whether it is true or untrue, in reference to him? A. Yes, sir.

By Mr. Carey: Q. Then this affidavit that appears in the printed minutes corresponds with your idea or understanding of the substance of the affidavit that Mr. Henrie was to sign in the office? A. The impression that I received from Mr. Henrie's conversation was that it would be more explicit in its exoneration of the parties already named.

The witness was excused from further attendance.

Committee adjourned to meet at 9 o'clock on the following morning.

TOPEKA, Wednesday, March 25, 1891—9 o'clock A. M.

The Committee convened pursuant to adjournment. A quorum present.

MR. N. M. CLIFFORD, being duly sworn, testified as follows:

Examined by Mr. Curtis: Q. State your name to the Committee. A. N. M. Clifford.

Q. Where do you reside? A. I reside in Coffeyville, Montgomery county, Kansas.

Q. What is your business? A. At present, I am sheriff and constable.

Q. Where did you reside and what was your business in 1888? A. I resided in Coffeyville, Kansas, at that time, and was an officer.

Q. What officer? A. Deputy sheriff of Montgomery county. I do not remember whether I had any other or not.

Q. Where was you upon the 18th day of October, 1888—the day of the explosion at Coffeyville? A. I was in the city of Coffeyville.

Q. How long after the explosion was it before you heard of it? A. I presume less than ten minutes.

Q. You may state to the Committee what you did after you heard of the explosion. A. I was walking south on Union street when I heard the alarm of fire given. The reporters said it was fire at the house of Henry Upham. I ran over on Eighth street looking for a horse or team that I could get to his place in, or with. I found the delivery team of Samuel Steele hitched in front of his store, on Eighth street. While I was undoing the horse from the rack, I ordered two bystanders to put two stacks of buckets that were standing in front of his store in the wagon. I jumped in the wagon with the two other parties, whom I have forgotten. I ran that horse to Henry Upham's house.

Q. Who was the first person you talked with after you got to the house? A. I do not remember now.

Q. Did you see Mr. Upham there? A. I did.

Q. State what you did after you got there. A. I went to Mr. Upham's house. I saw the crowd coming out and found that the fire had been extinguished; however, I went inside from the west, off of First street. In going between the passage-way between his laundry room and the house, the door was open, and there was a strong sulphuric smell coming from the room. I went into the dining-room, as the crowd seemed to be in the main part of the building. When I got into the room I found that there was no fire, but some person or persons was injured and there was much screaming and hurrying to and fro of parties. I stopped long enough to glance over the west sitting-room and the dining-room. They were taking Miss Mabel in the west sitting-room and Mrs. Upham into the parlor, through the hall-way. I found I could be of use. I went ahead of the crowd, I do not remember how, hardly, but I helped them arrange the bed in the room. They were bringing one in there to place Mrs. Upham on. I walked out. I stepped out to see if there was a physician. I called Dr. Wood. I then called the city marshal and ordered him to keep everybody off the porch from looking through the windows. There was perhaps a crowd of one hundred and fifty there then. After doing that I went in the house through the hall-way, and met Mr. Upham. I took him through the room into the kitchen, which is on the west side of the main part of the residence. I asked him what was the trouble, and he said it was an explosion. I asked him how it had occurred, and he said he did not know. He said there was a man left a box at his express office that morning and he brought it home and placed it in the laundry department, to be sent west the next morning at 4:30. I asked him to describe that man. I took an envelope out of my pocket, a piece of paper rather, and he gave me a brief description of the man. I was not in the kitchen, however, I do not think to exceed three minutes. I walked right outside, called the city marshal to one side and told him to look the crowd over for a man about forty-five years of age, wearing a black slouch hat, full black beard of about four weeks' growth, black suit of clothes well worn. I separated from him then.

Q. Is that the description that Mr. Upham gave you of the man who had delivered to him the box at his office on that morning? A. Partially; I will give the

balance of it in just a moment. I separated from the city marshal and commenced to look the crowd over, which numbered then perhaps two or three hundred. I could find no one answering that description in any particular. I returned to the house through the north hall door, took Mr. Upham by his right arm, and went back into the kitchen and closed the door. I told him that I wanted an accurate description of the man, and all the particulars. He said there was a man came to his express office about 11:30; he was about forty-five years of age; would weigh about one hundred and forty-five pounds; wore a black suit of clothes, that were well worn and inclined to be glazy; his beard was of about four weeks' growth; he winked his eyes considerably; he had on a white shirt, turn-down collar, and a long neck-tie; he wore shoes; and the style of his coat was a frock coat. He said this man came to the express office with the box under his arm; asked when the train went to Winfield; that he told him about four o'clock A.M.; that the man asked him if he was express agent, and he told him he was; he said he had a box he wanted sent to Winfield, billed to L. Loudon from P. Jason. It was marked "Glass." He said that the box was about eight by ten inches, and about eight inches deep, made of thin boards with the exception of the ends, which were of inch boards. He also said that the man was—that he spoke as a foreigner; that his accent was that of a foreigner.

Q. Did he tell you about the height of the man? A. Yes, sir—about five feet seven inches.

Q. Did he tell you anything about the color of his hair? A. It was dark.

Q. Anything about his mustache? A. It was—his whiskers were dark, if not black.

Q. Anything about the evidence of the man having worn glasses? A. No, sir; I never heard of that.

A. After he gave you this description, you may state to the Committee what you did, as deputy sheriff of that county, in trying to apprehend the party. A. I went immediately into the yard and called the city marshal, and read to him the complete description which Mr. Upham gave me. I also went down to the city and notified the constable. I visited every hotel, every boarding-house and every restaurant, to see if I could locate the parties in the town during the day, or if I could find them. I will add, however, that Mr. Upham told me that the man, while in the office, was constantly rubbing his beard with his hands. I did not think that signified anything, as I thought then and always have thought that he wore a false beard.

Q. Did you inform the sheriff of that county? A. Not in detail for a couple of days. I wired him that night, if I remember correctly. I live eighteen miles from the county seat.

Q. What, if anything, was done by you and Mr. Upham in reference to preparing a box to be sent to Winfield? A. There was nothing done by me in preparing the box to be sent to Winfield. After I had looked the town over thoroughly I went to the telegraph office and wired Sheriff Connor, of Winfield, the message of which the substance was this: "Arrest and hold any person calling for express matter at the Pacific express office billed 'L. Loudon, from P. Jason.'" Think I added the words: "Dynamiters. Meet me at the train in the morning.—DEPUTY SHERIFF." I think that is the substance.

Q. Did you send any other dispatch? A. I wired the sheriff of our county that evening, I think, if I remember correctly.

Q. Did you wire anybody else at Winfield? A. I did not.

Q. What time in the day was it that you wired Connor? A. I should judge I wired Sheriff Connor about 7 o'clock.

Q. In the evening? A. Yes, sir.

Q. State if you went to Winfield; if so, how you came to go, and how you went

there. A. That evening, late, Mr. W. S. Upham, brother of Henry Upham, came to me and suggested the idea of going to Winfield the next morning, on the train. I did not approve of it, because I thought it was useless, for the reason that if the party was going to send a box of dynamite to Winfield, that long before morning it would be known all over the state, and that whoever it was intended for would never call for it. But he insisted, and said he had prepared a box, and wanted me to go. I told him I would, and I went. I arrived at Winfield, I suppose a few minutes after ten o'clock—I do not know the exact time—in the forenoon. When I stepped off the train, I discovered incidentally that it was the topic of conversation at the county seat—that is, the explosion at Coffeyville. I went direct to the sheriff's office. I had to inquire my way, for it was the first time I ever was in Winfield. I asked for the sheriff, and was told that he was out of town. I asked the gentleman to whom I was talking if he was the deputy. He said he was. I asked him if a message was received from Coffeyville last night. He said he did not know, or had not heard; and he called another deputy from across the street, a very large man, and asked him if he had gotten the message. He said, "Yes;" he "got the message and notified the express office." I asked when Mr. Connor would be in, and he said not before evening, they thought. I went from there direct to the express office, and asked the man behind the counter if he was the agent, and he said he was. I then introduced myself as N. M. Clifford, of Coffeyville, deputy sheriff of Montgomery county, and told him I had wired Sheriff Connor the evening before, and asked him if he had been notified in regard to the message. He said he had. I told him there was a decoy box sent over on the train and it would be here. He made the remark, "You don't bring any dynamite in here; we don't want any of it," and started to the rear of the room. I recalled him, and asked him if he had a six-shooter, and he said he had. I told him to get it and place it under his counter, and the first man or the first person that came into that office and called for the package for L. Loudon, to take out the six-shooter and cover him, and hold him there regardless of expense, and to notify me or the sheriff's office at once; that I would not be but a very few blocks away from the express office. While I was talking to him, the express wagon backed up to the express office, and the young man came in with a number of packages in his arms, and among them was the decoy box. I caught hold of it and tossed it over on the counter, but there was no explosion—he was satisfied of that. I then left the office and went out on the street.

Q. In the meantime, had you met anybody connected with the *Courier* office? A. No, sir, I had not.

Q. After you left the express office, did you meet anybody connected with the *Courier* office? If so, where did you meet him? A. I went up to the corner to the bank, about a block and a half from the express office. I stopped there and looked the crowd over; there was a considerable crowd on the street. I asked a bystander who was the city marshal, and where he was. He looked around and pointed him out to me. He was across the street. I went over to him and introduced myself. He was talking to some party, I do not know who. I told him who I was, where I was from, and my business, briefly. He started to walk back to the corner of the bank and across the street. In walking that distance he wanted to know if I had met Ed. Greer. I said to him, "No, sir; I do not know Ed. Greer." He made the remark, "Let's go down." We started to go, where to then I did not know, but on the road going toward the Pacific express office again, we met and he introduced me to a man by the name of Winton, and said to him, if I remember correctly, "This is Mr. Clifford, deputy sheriff of Montgomery county." I do not remember the balance of the conversation; it was very brief. We turned and went in to see Mr. Greer. Just before I reached the entrance, in looking through the side of the

building I saw it was a publishing house; of what kind I did not know. I went in, and was introduced to Mr. Greer.

Q. I will ask you to state if at the time you met Mr. Winton either you or Mr. Cure informed him of the explosion at Coffeyville? A. Mr. Cure informed him. He simply introduced me to Mr. Winton, and told him my business. We did not stop, I think, two minutes.

Q. You did not talk with him? A. I do not remember to have. I remember of just shaking hands with him, and said, "Mr. Winton, glad to meet you," or something of that kind.

Q. Mr. Cure informed him of the explosion and told him of your business? A. Yes, sir. I was not talking with everybody that day.

Q. Tell what you did after reaching Mr. Greer's office. A. I stayed there perhaps five minutes. Mr. Greer, like everybody else, was anxious to know all about the explosion. I refrained from saying much about it. If I remember right I told him there was an explosion and that Mrs. Upham and Mabel were seriously injured; that they were alive that morning when I left there, as I understood, and I may have told him there was—I do not think I told him anything more in that conversation.

Q. How many times did you go to the *Courier* office that day? A. I was at the office three times during the day, if I remember correctly.

Q. The first time you went, Mr. Greer was not there, was he? A. I do not think he was; I have not thought of the matter from that day to this, but I do not think he was. I know that he was not, because Mr. Cure asked an employe where Ed. was, and he said he was out; but when I met Mr. Greer, or rather, the first time I met Mr. Greer, it was in his office.

Q. Did Mr. Greer ask you to give him the facts of the explosion? A. Yes, sir; I told him later on in the day.

Q. Well, you may state what other efforts you used during the day, to ascertain whether any person came for that box? A. I went back to the express office and asked the agent if anybody had called for it. I told him if there was to notify the sheriff's office at once.

Q. Did you afterwards meet the sheriff? A. Not until in the evening; I met him after he had returned to Winfield.

Q. You may state whether you gave him a description of the man, that Mr. Upham had given you. A. I think I did; I think I gave him a description of everything.

Q. State whether or not Sheriff Connor and yourself made any efforts to find out about it. A. Not together we did not, because it was after night when I met him, and I had worked hard that day and was going to the hotel, I think, or had been there, but we did not do anything together then.

Q. When did you return home? A. I returned home the next night. Left Winfield the next morning, the morning of the 20th, about 3 o'clock, over the Santa Fé.

Q. Did Mr. Connor afterwards visit you at Coffeyville? A. Not personally. I heard of him being there.

Q. Did you know what business he was there on, whether he was there in connection with this case or not? A. I never knew. I think he was.

Q. You may state to the Committee what efforts you made after that to ascertain the parties who delivered the box to Mr. Upham. A. I got back home Saturday evening at 7:15. I went to work on the case to investigate it. I heard of two parties being in Coffeyville on the forenoon of the 18th. I trailed one of them out of town. I then returned and went east on the D.M. & A. railroad track; I found there were two of them together and they went to a little station named Valeda, eleven

miles of Coffeyville. I followed out that clew. I drove out there and interviewed the agent, Isaac Waldrop.

Q. State whether or not he gave you a description of these parties. A. He gave me a description of the two men who came there about seven o'clock on the evening of the 18th day of October, 1888. I made a minute of the interview. I returned to Coffeyville, and I found a man there by the name of Otis Capron, a butcher, who had seen the same two parties in Coffeyville between morning and noon of the day of the 18th. About the second or third day after that, in company with one of Pinkerton's men, I visited Mr. Waldrop again. He gave us the same description, minutely, as he did the first time, that I have in print.

Q. I wish you would produce the description, and give it to the Committee. Witness here produces the paper, which was read in evidence, and was as follows:

"'On Thursday night about seven o'clock,' said Isaac Waldrop, station agent at Valeda, about ten miles from Coffeyville, 'I found two men at the station when I returned from supper. One was about thirty years old; about five feet nine inches high; weight about one hundred and forty pounds; medium complexion; mustache and full beard almost black, of about four weeks' growth. He was dirty; and wore a black felt, low-crowned hat; dark brown frock coat; dark pants; a soiled white shirt; and no jewelry. The other man was about twenty-three years old; five feet seven inches tall; weight one hundred and forty pounds; dark, sallow complexion; dark hair; small moustache, inclined to be dark, and of about a week's growth of beard, but not much on the side of the face; small, dark, keen eyes. He wore a black or dark brown suit of cheap goods, rather showy, and a small, round, black felt hat. The first-mentioned man had a peculiar accent, and was evidently not of American birth. The second man, I thought, was brought up in the Territory. They remained here until 10:36 p.m. They talked politics, and the first man said he always voted two or three times at every election, and he intended to do it this time for the labor party. The second man did not have much to say. They said they had come from the Territory, and asked the price of a ticket to Chetopa, but did not buy a ticket to that point. They asked me, however, when they could get a train south from Chetopa. I don't know whether they took the train or not, but I feel sure they did, for I did not see them afterward. By taking that train they could have reached Kansas City at seven o'clock the next morning.' Otis Capron, a butcher at Coffeyville, saw two men answering the description of the men seen by the agent at Valeda, on Thursday, the 18th, between eleven and twelve a.m. They were strangers, and acted suspiciously."

Q. You may state to the Committee if you ran this clew down any further. A. I did not, with the exception that I found upon the register of the Southern Hotel where two strangers had registered for breakfast on the 18th.

Q. Southern Hotel of what place? A. Of Coffeyville. The landlord is Mr. Jos. Kloehr.

Q. Did you ascertain whether or not these two parties that registered at this hotel answered the description of the two parties given you by the agent at Valeda?

A. There were some variations as given by the landlord, Mr. Kloehr, and that of the agent, Mr. Waldrop.

Q. Were there any great differences? A. I am not able to state that, it has been so long ago; I was satisfied in my own mind that it was the same parties.

Q. You may state whether or not you got their names and if you can give them to the Committee. A. I have their names off the hotel register. I have the names—I did not think their names amounted to much. I have their hand-writing. They registered as Chart Harvey, Cheney, Kansas, and James Koken, Cheney, Kansas. One party registered both names.

Q. What efforts, if any, did you make to ascertain who had left the box at Mr. Upham's? What other clues did you get and follow out? A. I do not remember now; there was something came up every day or so that would attract a person's attention, and when they would run it out there was nothing in it.

Q. Did you do anything more on this last clew you have given us? Did you follow that clew any further? A. No, sir, not any further than there.

Q. Well now, what else did you do, as an officer of the county, to apprehend the person who had delivered the box to Mr. Upham? A. There was a man in our town at that time by the name of Hackilier.

Q. Give his business, if you can. A. A photograprer, so I understand; I know he worked at Mr. Glass's; further than that I do not know. I never saw him at work in my life. I understand that he bought some chemicals, of which Mr. Benson has testified. I am not able to give the description of him now, but I know it does not answer the description of the man that Henry Upham gave me at that time.

Q. State what else you found out about this man — what the sheriff or marshal did, if you know. A. They all did what they could.

Q. Now, did you know what Mr. McCreary did? A. I was deputy sheriff under him four years. He spoke to me about the peculiar actions of this man Hackilier. He had done some office work for Mr. McCreary, and in the evening, perhaps an hour after the explosion, as Mr. McCreary was going down town this man Hackilier made the remark, "I understand they have had an explosion up here;" and after making the remark he gave a peculiar maniacal laugh; and it made Mr. McCreary so indignant at the time that it was hard to refrain from knocking him out in the gutter. And on the street the next forenoon Mr. McCreary and two or three other parties were in front of George Slosson's drug store. They were all talking of the explosion. This man Hackilier was passing, and he stopped without speaking a word and turned around and faced them. Mr. McCreary was not feeling very good over the meeting the evening before, and he made a very strong remark, the substance of which was that he would like to wring the man's neck that left that box there, and throw him off the trestle-work on the Santa Fé.

Q. What, if anything, did he say this man did after the statements were made by him — by Mr. McCreary? A. He just simply left the audience that he was standing gazing at, and made no remark.

Q. What did he do afterwards, if you know? A. I think he left Coffeyville the evening of the 20th, or Saturday night.

Q. Was there anything strange about his leaving? A. We thought there was at the time. Mr. McCreary wrote a certain person in the town in which he was living. He wrote to the chief of police. He said he had known him for years and would recommend him highly; but he would watch him very closely, and if there was anything suspicious he would write to us at once. I never heard anything afterwards.

Q. State what else you did. A. I do not remember of anything in particular. I watched everything and did everything I could under the circumstances, because he was a man I wanted to get hold of.

Q. Did you know the county attorney of that county? A. I did.

Q. Did you have any consultation with him? A. I had a short consultation with Mr. Elliott. I was very busy at the time, and it was almost time for the court to open. During court I was busy, and I do not think I consulted with him more than once or twice. I did with Mr. Ergenbright, the attorney who succeeded him.

Q. Did either of these gentlemen, at any time, say they would not prosecute if the evidence was furnished? A. No, sir; we would have been too glad to get the man, or even get a clew that would lead to the man, and, in my judgment, if it had

not been for the election-time just then, we would have had the man in the penitentiary long ago.

Q. I will ask you to state if, in your judgment, you traced this matter to any political party? A. No, sir, I did not; I do not think politics had anything to do with it.

Q. I will ask you to state if from the clews or anything you found out in the investigation of the matter, if there was anything to indicate that either of the political parties, or any of the leaders of the political parties, had anything to do with that explosion, or had any knowledge of it? A. I do not think any political party had anything to do with it. The republicans do not have to, and the union labor party would not resort to dynamite, unless some of the principal movers in the party had become union labor men for the purpose of working out their own devices or financial ends. I do not think politics had anything to do with the matter.

By Mr. Carey: Q. This is simply your private opinion? A. Yes, sir; that is my opinion; that is my judgment.

By Senator Kimball: Q. This is your opinion, drawn from the careful and full investigation which you gave to the subject at the time? A. That is what I base it on—yes, sir.

By Mr. Carey: Q. During the time you were investigating this matter was it suggested to your mind by anything that you saw or heard that any political party was the instigator of this explosion? A. No, sir; not by investigation. On reading one or two copies of the *Non-Conformist* I was led to believe that the republicans did the work, but upon investigating the matter I knew it was not true.

Q. You stated that by reading one or two copies of the *Non-Conformist* you found the republicans were the cause of this; that was the substance of your answer? A. Yes, sir.

Q. How long after this explosion was it before you entered upon this investigation? A. I commenced in about thirty minutes; just as soon as I got to the house and got to work and interviewed Mr. Upham.

Q. How long after the explosion was it before you ceased to investigate the last clew that you referred to. A. Well, I have not quit yet, Mr. Carey.

Q. Didn't you state awhile ago that two or three days afterwards you got on the clew of those two men, and followed it to some small town? A. Yes, sir; three or four. The reason I say so, I made one trip alone and I made one with Pinkerton's man, and I was there two days, and I think it was the first of November.

Q. That is the time you went with the detective? A. Yes, sir.

By Mr. Curtis: Q. You may state to the Committee if, during any of this time, you were requested or consulted by any member of the republican party, or the union labor party, not to investigate this matter further? A. Never was in my life.

Q. Were you requested not to run down any particular clew that you had, by any member of either of these parties? A. I never was.

Q. Did any officer in your county, at any time, inform you that they would have nothing to do with this matter, on account of politics? A. No, sir.

Q. What was it makes you think that you would have captured the parties if it had not been for the political campaign that was on at that time? A. It was principally for this reason: At that time the expose was made of the Videttes, which I knew nothing about until I read it; there was a very hot fight being made in the campaign, the election of which was only three weeks after the explosion; and it was, that is, the explosion was, laid to the republicans by the union labor men, to the union labor men by the republicans, with the democrats mixed in. It seemed like it was pretty hard work to get a clew. If a man knew anything about it he hesitated about telling it.

Q. Have you at any time since the explosion failed to do all within your power to ascertain who it was that left the box with Mr. Upham? A. No, sir; there has not been a week but what I have done something.

Q. State if in your investigation you had the aid of the other officers of your county. A. I have, both day and night.

Q. I will ask if during the investigation you had the aid of the officers of Cowley county? A. Yes, sir; all over Kansas, and from every county in southern Kansas.

Q. Did the officers of either of the counties ever at any time refuse to assist you when you wanted assistance in investigating this matter? A. No, sir.

By Mr. Crumley: Q. You said awhile ago that you did not believe any political party had anything to do with it; that is, the Coffeyville explosion? A. Yes, sir.

Q. Did you come to any conclusion as to what it was done for? A. I do not know whether I have or not. I would like to answer your question if I could, but the Committee said they wanted facts.

Q. You said you did not believe that any political party had anything to do with it; then did you come to any conclusion? A. I think it was a personal matter; no political matter. Why it was a personal matter, and what cause led it to a personal matter, I am not able to state.

By Mr. Curtis: Q. Did you make an arrest the day you was in Winfield—you and Marshal Cure? A. Why, I do not know as you would term it an arrest—I do not. While walking around over the streets of Winfield, through the crowds, as there were squads of people standing on every corner and on the sidewalks, talking the matter over about Ed. Greer and the Vincents, whom I knew nothing about, never having met them, I found a man that answered Henry Upham's description, the one he gave me, very well. I shadowed him for some time, and finally shadowed him down to the depot. I think it was the Santa Fé, but I am not positive. I shadowed him nearly there, and McLain, one of the officers in Winfield, followed him to the depot and came back and reported to me. Then Mr. Cure and I got in his cart and drove there. He had a black square grip that would have been large enough to hold a box of the dimensions given by Mr. Upham; but upon an interview with the man, I found he was a farmer, and that he had not been in town for a couple of years; but he was going to visit his daughter, who lived some distance. He had nothing in his grip, with the exception of two or three apples, I believe it was. I think he had no papers with him of any kind to indicate who he was, but he gave me his name and address. I investigated the matter, and found he had not been away from home for a year or two; so I dropped that.

By Judge Webb: Q. Mr. Clifford, you are a resident of Coffeyville, in Montgomery county, Kansas. A. I am.

Q. And did reside there during the whole period of your being under-sheriff under McCreary. A. Yes, sir.

Q. McCreary was also a citizen of that town, was he? A. Yes, sir.

Q. Nominated and elected to position of sheriff by the republican party. A. Yes, sir.

Q. Politically, you affiliate and associate with that party? A. Yes, sir; always have, and vote the ticket straight now.

Q. You were in Coffeyville on the 18th day of October, in the year 1888? A. Yes, sir.

Q. You heard the report occasioned by the explosion at the house of Mr. Upham? A. I heard of it.

Q. You heard the report, didn't you? A. No, sir; I did not.

Q. Where were you when you were advised of the fact that such an event had transpired? A. I was walking south on Union street, in front of Barndollar's store.

Q. Was Barndollar in the store? A. I do not know.

Q. What is the direction from the house in which Mr. Upham then lived? A. It is two blocks north and about seven blocks east — perhaps eight blocks east.

Q. Being informed of the fact that there was a fire at Mr. Upham's, you started in some direction, you said. Which way did you go? A. I went due southwest.

Q. Why didn't you go straight to Upham's house? A. I did, just as straight as I could. If I had gone across corners I would have lost time.

Q. You went direct to Upham's house? A. Yes, sir.

Q. You had an interview with Mr. Upham? A. I did.

Q. I wish you would repeat just what conversation you had with him concerning the explosion in his house. A. I will have to repeat it all over; it is the only one I had. After going in the house, perhaps a moment after being in the house, I took Mr. Upham into the kitchen, which is in the west side of the main building. I closed the door behind because there was considerable confusion in the house. Mr. Upham is very hard of hearing, and my reason for doing that was, I did not want anybody to know what I was doing, because I wore no star, and I wanted the man who left the box there, if he was living and I could get him. I asked him the cause of the explosion.

Q. You did not know at that time that there had been a box left there? A. Not until he told me.

Q. Why were you so anxious to find the man who left the box there? A. Who else could I want?

Q. Go on with your conversation with Mr. Upham. A. He told me about a man coming into the Pacific express office about 11:30 A. M., and inquired if he was the express agent. He told him he was. He asked him when the train went to Winfield. He told him about 4 o'clock A. M. He had a box under his arm, and wanted to send the box to Winfield. It was billed, and he wanted to send it to L. Loudon. P. Jason was the name given by the man sending it. He gave me a description of the man, as follows: He was a man about forty-five years of age, five feet seven inches in height; would weigh about one hundred and forty-five pounds; hair and whiskers dark, if not black; his accent was that of a foreigner, and he had a peculiar way of winking and flashing his eyes considerably. He wore a soft, black felt hat, medium size, black clothes well worn; they were inclined to be glazy and shiny, very worn. He wore shoes. He had on a white shirt, turn-down collar, and a long neck-tie.

Q. Is that the full description as you remember it? A. Yes, sir; it is.

Q. Is that all the conversation you then had with Mr. Upham? A. I do not remember positively whether we had any more, or not.

Q. Is that all you remember? A. Yes, sir; that is all I remember just now.

Q. Mr. Upham told you that the box was brought to the express office? A. Yes, sir.

Q. That he had carried it from the express office to his private residence? A. Yes, sir; in his wagon.

Q. Did he tell you what it was that exploded? A. He said he did not know, unless it was that box.

Q. Did he tell you what it was that exploded? A. I do not know as I can answer that question yes, or no; I will not, because I cannot. I can explain it in this way: The peculiar actions of the man that brought the box into the office, and his being so particular about the box being handled; that after it was exploded, or after the explosion, a man would naturally think it was the box; when the box could not be found, or anything of it; and when a man had nothing in the house, of his own, that was explosive. Whether the box exploded, I do not know; we never could find it.

Q. You said something, in answer to Mr. Curtis, about the preparation, by some one, of a decoy box? A. Yes, sir.

Q. Who prepared that? A. Mr. W. S. Upham, a brother of Henry Upham.

Q. Do you know at what time it was fixed up, ready to be sent away? A. No, sir; I do not. It was done in the evening after seven o'clock.

Q. On the same evening? A. Yes, sir; on the same evening; the evening of the 18th.

Q. Do you know, in fact, whether it was shipped on the train in the night? A. It was the next morning at four o'clock.

Q. By whom? A. My understanding, by W. S. Upham himself.

Q. Did you know anything about the fact of its being shipped? A. There was a half a dozen came to me and told me they had fixed the box up and was to be sent, and wanted me to go with it.

Q. Well, did you go on the same train that carried the box? A. Yes, sir; I saw it taken off the express car the next morning.

Q. At what hour did the train arrive at the depot at Winfield; about what time? A. About ten o'clock; perhaps a few minutes later.

Q. As you stepped off the train, did you find any person there whom you knew? A. No, sir, I do not know as I knew anybody. I knew some of the train-men; besides them I did not know anybody.

Q. Did you walk or ride up town? A. I walked.

Q. To what place did you first go? I went direct to the sheriff's office.

Q. And whom did you find there, if anybody? A. I understood afterwards that it was Mr. Connor's son. I had never been in Winfield, and did not know.

Q. Did you have any talk with him about the purpose for which you had visited Winfield? A. A very brief conversation.

Q. He told you his father, the sheriff, was not at home, or would not be until evening. A. He told me he was out of town, and would not be in until evening.

Q. Upon leaving the office of the sheriff, where did you then next go? A. I went direct to the Pacific Express Company's office.

Q. For the purpose of seeing whether the box that had come from Coffeyville had reached the office? A. No, sir.

Q. What was the purpose? A. The purpose was to see if they had been informed of the contents of my telegram. I knew the wagon had not reached there yet.

Q. What did you learn? A. I learned they had received it.

Q. The telegram had been sent before you left Coffeyville? A. The evening before.

Q. Addressed to whom? A. Sheriff Connor, Winfield, Kansas.

Q. After visiting the express office and ascertaining what you were in pursuit of there, where did you then go? A. After leaving the express office I went west on Ninth avenue.

Q. To what point? A. I went to the corner of Ninth avenue and Main.

Q. To whose place of business, if any, did you go? A. I went to no one in particular; I was on the hunt of the city marshal, because he was on the street and would recognize a stranger the moment his eyes rested on one.

Q. You say that the subject of the Coffeyville explosion was one of very general conversation when you arrived at Winfield? A. Yes, sir.

Q. Did you telegraph to anyone else upon the subject, except to the sheriff? A. I did not, unless it was the sheriff of Montgomery county.

Q. Do you know whether any communications were sent by wire from Coffeyville to Winfield, other than the one you yourself sent? A. I do not. I found out they knew it, and I was anxious to know how the news got to Winfield. I wanted

to know whether the operator or messenger had repeated my message, and I found out it had come on an early Santa Fé train, by Tom. Cavanaugh.

Q. From whom did you learn that the information had been thus communicated to the people of Winfield? A. I do not know as I could state that now.

Q. Was Cavanaugh employed on the Santa Fé, or at work on the Missouri Pacific? A. I understood he was in the employ of the Santa Fé; afterwards in the employ of the Missouri Pacific.

Q. Didn't he, in fact, reach Winfield upon and by the same train upon which you arrived there? A. I do not know; I did not know him then; I did not know him for perhaps a year and a half afterwards.

Q. What took place while you were in Winfield? What time in the day did you first meet Ed. P. Greer? A. I think that I am safe in saying it was between 11 and 11:30 o'clock A. M.

Q. Something like an hour and a half after you reached town? A. It was not an hour and a half. It was not an hour, I do not think. If I remember correctly, it was after ten when I reached Winfield. I went direct to the sheriff's office, and from there to the Pacific express office, and from there up town.

Q. And you met Mr. Greer where; when you first met him, I mean? A. I want to correct one mistake there. Mr. Cure went with me to Greer's office, he was not in. That was in less than an hour after I reached town; but when I did meet Mr. Greer, I do not know whether it was before dinner, or afterwards.

Q. Well, do you remember where it was? A. It was in his office, if I remember correctly.

Q. Did you have a talk with him as to the occurrence at your city the day before; the explosion, I mean? A. Why, Mr. Cure introduced me, I believe, and there was probably a five-minutes conversation occurred. He asked me to give him the particulars. I refrained from doing so. I told him before I left there to go home, I would.

Q. Who introduced the subject of the dynamite explosion, or the Coffeyville explosion, whatever it may have been, in the conversation between yourself and Mr. Greer—you, or he? A. Well, I do not remember now.

Q. Had he heard of the explosion before you mentioned it to him? A. I could not say whether he had or not. If I remember correctly, Mr. Cure named the subject after introducing me.

Q. Now, what was said in reference to it? A. He simply introduced me as Mr. Clifford, deputy sheriff of Montgomery county; said that they had an explosion at Coffeyville the evening before, and there was a box sent here and I had come to ascertain who called for the box.

Q. Do you remember what response Mr. Greer then made? A. No, I do not. I did not like to have much to say to him; I found he was a newspaper man, and I never like to meet these newspaper parties; that is the reason I had very little to say.

Q. He did, however, ask you to give him the particulars about it? A. Yes, sir, he did, and I did.

Q. At that time? A. No, sir; not until after I had completed my work and got ready to start home.

Q. You had talked with Upham concerning the circumstances at his house before you went to Winfield, as you have before stated? A. Yes, sir.

Q. And you have also stated what he said to you? A. Yes, sir.

Q. There was not anybody else that had related to you the circumstance and claimed to know anything about it? A. Nobody but Henry Upham, and we were the only ones present.

Q. I wish you would tell me how you learned the particulars of that explosion, which you so gave and related to Greer afterwards. A. All I had to relate was about the man leaving the box at the express office; and he had carried it home as I had seen him carry a hundred packages; that there was an explosion in the evening; and that there was a decoy box sent to Winfield. That is all I told him.

Q. And these were the particulars attending the explosion and the cause of it, were they? A. That is all I knew of it.

Q. Then you did not care to tell the particulars about it? A. Yes, sir; so far as I knew.

Q. Well, do you remember what Greer said to you in connection with the subject at the time of the conversation which you have mentioned? A. In regard to what?

Q. In regard to the explosion at Coffeyville; the reasons for it; the causes for it; the persons responsible on account thereof; how it happened. A. He did not do that; if he had, I should have stayed there and talked with him for a couple of hours.

Q. You heard one class of citizens, you may call them politicians if you choose, who laid the fault to the republicans? A. Yes, sir.

Q. Then there was another class who laid the fault on the union labor party, or Vincents? A. Yes, sir.

Q. You went to the *Courier* office to consult with Mr. Greer, and learn what you could there? A. I did not.

Q. What did you go there for? A. I went because I had an invitation to go; who Ed. Greer was, I did not know; that he was in the newspaper business, I did not know; my impression was, when Mr. Cure asked me to go there, that he was a detective or officer of some kind. That was my first visit to Winfield, and I knew nobody except Sheriff Connor, and I had met him once.

Q. Then you did hear the counter-charges that were made by the respective parties, each against the other? A. I heard that on the streets; that was all I could hear.

Q. You knew there was such a paper published at Winfield as the *Non-Conformist*? A. Yes, sir.

Q. And that the Vincents were editors and publishers of it? A. Yes, sir.

Q. You heard them implicated by the representatives of the other side? Did you go to the *Non-Conformist* office for the purpose of prosecuting your investigation and acquiring information? A. No, sir; I did not.

Q. You did not go to any printing office excepting that of the *Courier*, did you? A. I did not.

Q. You did not talk with any publisher of any paper, or any active republican partisan that you knew as such, except Greer, did you? A. I did not. Allow me to explain why; I did not know there was such a paper as the *Non-Conformist* or the *Courier* until after I got to Winfield. I did not know Mr. Greer's business until I looked through the side windows, just as I got there, and saw it was a publishing-house. I concluded right then that they wanted to interview me, and I didn't want to be interviewed. After an introduction had passed, Mr. Cure stated my business there partially, what little he knew, and I did not tell him a great deal; and the explosion matter was talked of, and Mr. Greer wanted the particulars; I refrained from giving them. I found out that there was a personal difficulty between the publishers of both papers, and I cared nothing about it; I did not interview Mr. Greer, and I did not interview Messrs. Vincent. I never was in his place of business, because I had no business there, and I was simply in Mr. Greer's office because Mr. Cure asked me to go, and had I found out that Mr. Greer was the editor of a paper in the city of Winfield, I should have declined going there; I did not even know Mr. Greer's political sentiments.

Q. But before that you had met Winton, the foreman in Greer's office, and had a conversation with him? A. No, sir; I met him on the sidewalk in going to Mr. Greer's office. When I met Mr. Winton I did not know who he was, but I learned afterwards he was foreman; whether he was then, I did not know.

Q. You went afterward to the little town of Valeda? A. Four or five days afterward—yes, sir. I got home on Saturday night.

Q. What day did you go to Valeda? A. I could not tell.

Q. Within a few days? A. Yes, sir, within a week.

Q. And it was upon the hotel register there that you found the names of the two parties from Cheney, Kansas? A. At the Southern Hotel at Coffeyville, kept by Joseph Kloehr.

Q. When did you learn the fact that these names were registered upon the 18th day of October at the Southern Hotel? A. I do not remember now; it was shortly afterward; it might have been a week—I do not remember.

Q. Was it before you made your trip to Valeda? A. Afterwards.

Q. Did you hear anything of such persons at Valeda? A. Why, just as I said a while ago, there was a variation in the description of the two men that the agent at Valeda gave, in comparison with that the landlord of the Southern Hotel gave.

Q. Notwithstanding that description, was there such general agreement in the description, that made you think they were the same men? A. In my judgment, I thought they were the same men.

Q. Were they at Coffeyville or Valeda, first? A. They were at Coffeyville first, if they were the same parties.

Q. Did you hear anything of them, or of men corresponding with them, after what you learned at Valeda? A. I did not.

Q. Where is the town of Cheney? A. I do not know. It is out here in the western part of the State somewhere; I have not looked the matter up; I know there is a town by that name.

Q. Did you correspond with persons there with reference to men answering the description given you by these two, either by the landlord at the Southern Hotel, or at Valeda? A. No, sir; I did not; it would have been useless if I had.

Q. Did you do anything other than that which you have already told for the purpose of prosecuting your inquiries in Cowley county? A. No, sir; not in Cowley county.

Q. You say you have done everything in your power to ferret out the offenders, if there be any. A. No, sir; I did not say that.

Q. Well, can you tell me something that you have done other than make your trip to Winfield and Valeda? A. I did all I could under the circumstances.

Q. If you did anything else other than that which you have already detailed here, please state what it was. A. No, sir; I do not know as I have.

Q. You say the officers of Montgomery county, and of southern Kansas generally, have coöperated with you to the fullest extent to enable you to ferret out and detect the offender. A. Yes, sir.

Q. Please tell me what they did. A. I do not know as I can do that.

Q. Tell me any one thing that they did. A. Well, about all that has been done is to talk the matter over, run down clews, and find there was nothing in them.

Q. And these two gentlemen, who were registered upon the morning of this occurrence at your city, who were described to you by the landlord of the Southern Hotel, and registered themselves as from Cheney, Kansas; you prosecuted your inquiry so far as to hear something of a couple of men at Valeda? Valeda is in Labette county, is it not? How far is Valeda from Coffeyville? A. Eleven miles.

Q. You reached the conclusion, you say, that there was nothing political in the

accident or misfortune that occurred at Mr. Upham's house? A. Yes, sir; that was my judgment.

Q. You thought it was personal? A. I did.

Q. Between what persons? A. I do not know that; if I did, I could even have accomplished more than that.

Q. What led you to think it was personal, if you are not able to connect any persons with it? A. Well, I never was able to connect any political party with it, hence it must have been a personal matter.

Q. Were you able to connect any persons with it? A. No, sir.

Q. Then is it not equally reasonable to presume that it was political? A. Men differ in opinion; it is equally reasonable to think so—yes, sir.

Q. I want to call your attention to the gentleman, Hackillier. You understood him to have been a photographer? A. Yes, sir.

Q. Did you know him by sight if you saw him? A. I never met him but once or twice.

Q. About how old a man was he? A. I think he was older than forty-five years; his whiskers, if I remember rightly, were—I have a very faint recollection of him; either his whiskers or hair was gray. I remember he did not answer Mr. Upham's description in any particular.

Q. He in no wise corresponded with the description Mr. Upham gave you? A. No, sir.

Q. Did he correspond at all with the description of either of the men whom the landlord of the Southern hotel mentioned? A. No, sir; he might in some particulars, but not enough to justify a man to believe he was the person.

Q. And after he went away, Mr. McCreary made inquiry concerning him, at the supposed home of Hackillier? A. At the town where he was, of the chief of police.

Q. From the answer which Mr. McCreary received, there was nothing to induce further inquiries in that direction? The answers which he received allayed all suspicion concerning him? A. The report from the chief of police from the town in which he had lived and was then residing, was such that we thought the man was all right, perhaps.

Q. In the interview which you had upon the 18th of October Mr. Upham related to you about the box being brought to the office, and him taking it to the house and the explosion happening? A. Yes, sir.

Q. I want to ask you if from investigation and inquiries you have made, you have any reason to doubt the truth of the fact that the box was delivered to Upham, and that he took it home with him? A. No question in my mind at all but that the box was delivered to Henry Upham and that he took it home.

By Mr. Carey: Q. In your direct testimony, you said that when you first called at Mr. Greer's office, you met an employe who told you Mr. Greer was out; then you said that either before or after dinner you made another visit; what did you make this other visit for? A. When Mr. Greer took me up to Mr. Greer's office, he asked if Ed. was in, and he was not, and we left.

Q. You knew when you went to Mr. Greer's office the first time, that he was the publisher of a paper, did you not? A. Yes, sir, I supposed so; his office was in the building, and it was all used for that purpose.

Q. Now then, the second part of my question: What did you go there for the second time, before or after dinner, as you stated in your testimony a minute ago? A. I do not know what, hardly.

Q. You also stated that if you had known Mr. Greer was the publisher of a paper you would not have gone to the office? A. Yes, sir; that is what I said.

Q. Well, in your first visit you ascertained that he was the publisher of a paper,

did you not? A. I did not ascertain that fact; I concluded he was from the appearance of the building.

Q. Why did you make the second visit? A. I had no particular reason for making the second visit; I was on the move constantly, and I was just as liable to find the person I was looking for on an off-street, and more so, than on a crowded thoroughfare; and I had no reason for going there, and no reason for staying away. I felt a little as—as Mr. Connor was out of the city, that I was the guest of Mr. Cure, who insisted on my going home to dinner with him; and being the marshal of the city—in fact, the chief of police of the city; and that he was better acquainted with his town than I was; and that I might be able to find something; I did not know what. I never expected anybody to call for the box.

Q. Well, is it not a fact, that either by your own solicitation, or at the solicitation of Mr. Cure, you sought an interview with Mr. Greer, by returning to his office after the first visit? A. Well, he was with me when I called; Mr. Greer asked for the particulars, and I refrained from giving them. If I remember correctly, the first time Mr. Greer was not in; the first time I did meet Mr. Greer, Mr. Cure was present, and introduced me.

By Senator Kimball: Q. You went there each time with Mr. Cure, did you? A. Yes, sir.

Q. Did you go there the third time with Mr. Cure? A. No, sir.

Q. Did you go there the second time at the invitation of Mr. Cure? A. Yes, sir; and with him.

Q. And that was the first time you met Mr. Greer? A. The second time that Mr. Cure was with me—yes, sir.

Q. And at that conversation did you give Mr. Greer the particulars as far as you did give them to him, of the explosion at Coffeyville? A. The matter was just named, that was all; he asked for them.

Q. And at that time you refrained from giving him any information on the subject, did you? A. Yes, sir.

Q. Did you at that time promise to see him later, or did he ask you to see him later concerning this same matter? A. I do not remember the exact conversation; I told him, however, that I would give him the particulars, so far as I knew them, before I went home; he said he would like to have them before it was too late for the paper.

Q. Then your third visit was made for the purpose of giving him the particulars, so far as you thought prudent to do so? A. Yes, sir; and also to learn if Mr. Elliott had replied to his telegram, because I was anxious to know about it.

Q. Had he, before that time, wired Mr. Elliott, to your knowledge? A. After I met him and refrained from giving him the particulars he wired D. Stewart Elliott, editor of the *Coffeyville Journal*; and my third or last visit to his office was to give him the details of the explosion, and to learn if he had received a telegram from Mr. Elliott, and what the result was.

By Mr. Senn: Q. You said that this description that was given to you of the man who delivered the box, that he had whiskers, dark whiskers, having the appearance of about four weeks' growth? A. That was my understanding.

Q. And I think you said they looked as though they might be false? A. No, sir. I said I thought they might be false; and I think so yet.

Q. What made you think so? A. Principally from the way he rubbed them to keep them up. I have had on false beards, and I know it is hard work to keep them on; and I do not think a man would go in and take a box in there without he was disguised. I know I never should.

Q. How do you know he rubbed his whiskers? A. Same as I know anything else; Mr. Upham told me so.

Q. How long would whiskers be at four weeks' growth? A. It is owing to the man.

Q. Generally speaking? A. Taking a man about four weeks, it seems to me that they are an inch long.

Q. Do you think a man could have false whiskers having the appearance of about four weeks' growth? A. I know it better, perhaps, than you others know. No two men would give the same description of a man, even of his beard, or even in the description of him. Some men have no more conception of a four-weeks growth than a six-weeks growth.

Q. It seems to me that a four-weeks beard, or a beard having the appearance of a four-weeks growth, could not be false; they would show the skin through? A. You can get them that way if you want them.

Q. Were you present when Mr. Upham pointed to a man when he was under examination, as having a beard about like that man had? A. I was.

Q. Would you call that about four weeks' growth? A. No, sir; I should not. I would call it a two or three months' growth. Mr. Upham's description of the beard, in my judgment, would be a growth of beard that would be of two or three months' growth. Men's beards grow differently. The station agent at Valeda said one of them had a beard of about four weeks' growth.

Q. You have been acquainted with Mr. Upham a great many years? A. I have been acquainted with Mr. Upham since August, 1888. I have lived neighbors to them, and knew them personally.

Q. He had a good position and a good home at Coffeyville. A. Why, I thought so—yes, sir.

Q. Did it not strike you somewhat strange that he left after this accident? A. I do not know as it did.

Q. Was there any comment in the town, generally speaking, about that? A. Not that I know of; there might have been a number speaking about it. He taking his wife and daughter and going east was nothing unusual with Henry Upham.

Q. What was the cause of his leaving? A. His wife desired to go.

Q. He had been in the habit of going east before that? A. If my recollection serves me right, they had made one or two trips east while I lived in the town. It is a good way east, and rather expensive.

Q. Did Mr. Upham give up his position and go east, or did he remain in Coffeyville? A. Not that I know of; he had a man to take his place while he was gone.

Q. But this time he gave up his position, and in fact left before his family left, and you say it did not strike you as anything peculiar at all. A. Knowing him as well as I do—no, sir.

Q. Did you never hear of any talk that he left in order to avoid testifying in this case? A. No, sir.

Q. Do not think such a thing could be? A. I never gave that credence at all.

Q. You did not hear any particular reason why his wife and family wished to go east? A. No; not any more than that after they were injured, and confined to the house several months, I suppose that they thought—I never asked, but am giving you my supposition—that after being crippled and confined to the house as long as they were, and in the way they were crippled, they would rather go some place else. When they left I said it would not be long before they would be back.

Q. You say it did not strike you as anything peculiar that he left, even while they were sick, and did not stay with them? A. Why, I thought at the time that he perhaps had ought not to leave just when he did. I do not know why he did or what his reason was for doing that.

Q. You did not think there was any clew in that? A. I did not think so.

Q. You knew where he was all the time? A. Yes, sir. Now, I would like to offer you an explanation about one thing—it would do you all good—in regard to Mr. Upham and his wife going east. There is nothing particular or peculiar about that. Mr. Upham is a man who thinks a great deal of his wife and daughter, and there is nothing that they desire that money can buy he will not get for them if they desire. Mr. Upham personally is a very peculiar and notionate man; he has a handsome and elegant home; it is neat, and he is constantly repairing it, tearing down and rebuilding. And he is the best friend that the poor man has in Coffeyville, because he is liable to erect a building this morning, paint it this afternoon, and to-morrow tear it down again. So there is nothing peculiar about Henry Upham if a person is personally acquainted with him.

Q. Do you know why Mr. Upham returned to Coffeyville so soon after leaving? A. I understood from him that they desired to return because the expense was not so heavy, and they had a good home there.

Q. This man that delivered the box was described as being a foreigner, judging from his language? A. Yes, sir.

Q. What nationality did his accent indicate? A. I was never able to learn that.

Q. If a man states that a man talks with a foreign accent, does he not usually state what kind of an accent? Noticing it would imply that they could tell? A. It is owing to who notices it.

Q. You never knew, then, what nationality the accent indicated? A. No; I was never able to learn.

By Mr. Curtis: Q. You informed Judge Webb that you wanted the man who delivered the box; now, did you know anything about the box having been left there until Mr. Upham told you about it? A. I never knew anything about it until Henry Upham told me of the matter in his kitchen after the explosion, perhaps thirty minutes after, or forty-five, because I was busy keeping the crowd back from the house after I interviewed him.

Q. You said when you arrived at Winfield you learned that Tom Cavanaugh had spread the news, or told of the affair at Winfield. When did you learn that he had arrived? A. I heard that in the forenoon.

Q. What time in the day did they say he had arrived there? A. I was informed that the news was brought into Winfield on the Santa Fe train before daylight.

Q. Was there a Santa Fe train at that time? A. I do not know.

Q. You do not know anything about the train? A. No, sir.

Q. Did you see the place of the explosion? A. Yes, sir.

Q. Did you hear Mr. Upham's description of the explosion? A. I heard part of it.

Q. What were the effects, and how did it throw the things around? Briefly state. A. The room is ten by twelve—the laundry room. There was a hole in the floor perhaps two and a half by three and a half feet; I did not measure it. That something that exploded went through the floor, broke the joist, and went through the ceiling and the joist of the floor in the cellar; went through an open space of about six feet and a half into a cement floor and tore out a place in the floor that I should judge from the looks of it was the size of a half-bushel or peck measure; it has been repaired, but I should judge it was that size. It knocked two boards off of the west side of the building, separated the comb of the roof, and broke the lower right panel of the door that went out south from the laundry, and the lower panels of the door that opened into the laundry; besides, it knocked all the shelves out of the room.

Q. Did you know anything about the dark room that was there? A. I did not; never saw it.

Q. You knew it to be a printing office, did you not? A. I did, from observation.

Q. How long did you remain in the office of Mr. Greer after you, Mr. Greer and Mr. Cure arrived there? A. I do not remember. A very short space of time; perhaps five or ten minutes.

Q. Do you remember the conversation that took place at that time? A. Not exactly; I can give you the substance of it.

Q. I ask if you remember? A. Partly.

Q. In that conversation, was there anything said about the Vincents? A. I do not remember; I do not think there was in that conversation.

Q. In any conversation which you had with Greer that day, was there anything said about the Vincents, the editors and proprietors of the *Non-Conformist*? A. Yes, sir.

Q. When was it with reference to the time of your introduction with Mr. Greer? A. I think, if I remember correctly, it was the last interview I had, or the last time, rather, that I was at the *Courier* office.

Q. What time in the day was that? A. I presume in the neighborhood of four o'clock; it was before the publication of the evening paper.

Q. Do you remember what was said in that conversation about the Vincents, or the editors and proprietors of the *Non-Conformist*? A. Not exactly.

Q. Do you remember the substance? A. Yes, sir.

Q. Are you now able to call to mind the person who introduced into the conversation the names of the Vincents, the editors and proprietors of the *Non-Conformist*? A. I am not.

Q. Do you remember whether you commenced that part of the conversation, or whether it was introduced by Mr. Greer or Mr. Cure? A. I cannot tell you which one it was. I know I didn't, because I didn't know them.

Q. I will ask you to state what was said about the Vincents, editors and proprietors of the *Non-Conformist*. A. That is pretty hard to do. After, as per agreement to give Mr. Greer the particulars of what had transpired at Coffeyville about the explosion, for publication, I had explained that there was supposed to be a box of dynamite there for L. Loudon from P. Jason, in the course of the conversation, I do not remember when, I was told that the Vincent brothers were publishing the *Non-Conformist*, an anarchistic paper—in fact, I do not remember what was said.

Q. Now, who said that? A. Why, Mr. Greer, I think it was.

Q. Now, to refresh your recollection, Mr. Clifford, let me ask you if it is not a fact, that in that conversation Mr. Greer attempted to impress upon your mind that that box of dynamite was intended for some person in connection with the *Non-Conformist* paper? A. No, sir.

Q. Was there any insinuation of that kind or character made? A. Not in that direction.

Q. Was there anything said upon that subject at all? A. Yes, sir.

Q. What was it? A. In the course of conversation, and I do not remember the conversation now, only briefly, Mr. Greer said to me that his warmest personal friends had advised him that he was in danger of being hurt; that he had been stopped one night going home, and that he expected the box was intended to blow up his building, because his office or building had been broken into once.

Q. Now, is that all he said? A. That is all I remember of; he may have said something more, but I did not take any interest in it.

Q. Please explain to the Committee, in that conversation, how Mr. Greer connected the Vincents with the topic of conversation at that time? A. Well, I do not know as I am able to do that.

Q. Can you substantially do that? A. If I could, I certainly should; but I have

forgotten about all the conversation. I did not take any stock in it; they were all strangers to me. I concluded after the interview, that it was a personal fight between both publishing houses and it did not concern me at all, or interest me in my business, hence I paid little attention to it.

Q. Didn't you permit yourself to be interviewed by Mr. Greer at that time? A. I did before I left the city.

Q. I mean at the time you were engaged in conversation with him at four o'clock in the afternoon. A. Yes, sir, then.

Q. Do you remember of reading your interview in the *Daily Courier* after it had been published? A. I believe I did, but cannot repeat it now.

Q. Well, did the report in the paper state correctly your interview with Mr. Greer? A. I do not think it did, if I remember correctly.

Q. Did you at any time thereafter, and up to this time, call his attention to any mistakes that occurred in the interview? A. I believe I sat down and wrote Mr. Greer a card for publication. What that was I do not know.

Q. Do you remember when that was with reference to the date of the publication of your interview? A. I do not know; it was shortly afterwards.

Q. Did you ever see the card you wrote Mr. Greer published in his paper, or any other paper? A. I saw it published in some paper.

Q. When was it, with reference to the date it bore? A. I do not remember. I do not remember whether I read it in a daily or weekly.

Q. Did you, in that card, say to Mr. Greer, in substance, that he had misquoted you in that interview? A. I could not tell you now. What I wrote was the truth.

Q. Is it not a fact that you said nothing whatever about your interview with Mr. Greer in that card? A. I do not remember anything about what I wrote in that card.

Q. Then you have not answered my former question. I will repeat it again. Did you at any time communicate with Mr. Greer, informing him that he had misrepresented your statements in your interview with him? A. I do not remember, because I do not remember what I wrote him.

Q. But you say to this Committee that he did misrepresent your interview with him? A. In reply to your question, I will have to answer it in this way, the only way I can: I had forgotten all about it, but I have a slight recollection that there was something published in Winfield in the interview that he had with me that was wrong.

Q. Now, do you say that that card you addressed to the editor of the *Courier* had any relation to the mistakes or misrepresentations in the interview? A. I cannot tell you now, for I have forgotten; I do not know.

Q. Is it not a fact that the card to which you have referred had reference only to a political scheme, and was published in the *Courier* the Saturday evening before the election in November? A. I do not remember. I do not remember when I wrote it.

Q. How long since you examined the card you wrote, in print? A. Immediately after its publication, two years and a half ago.

Q. Did you take any clipping from any newspaper? A. In regard to what?

Q. Your card. A. No, sir.

Q. Did the published card you read properly represent the idea you had expressed in your letter to Mr. Greer? A. If I remember correctly, it did.

Q. And you now state to the Committee that you have no recollection as to its contents? A. I have none in the least.

Q. Do you remember whether in that card you said anything about the Vincents,

or not? A. I do not remember one word that was in that card, of any description or character.

Q. Can you now call to mind, going back to the conversation with Mr. Greer the afternoon of the 19th day of October, 1888, the substance of the conversation between you and Mr. Greer relative to the Vincent brothers? A. Nothing more than I stated in my answer to your question of a few minutes ago.

Q. You said, I believe, you had never heard of the Vincents before? A. Not to my recollection.

Q. And that Mr. Greer informed you in that conversation that the Vincent brothers were publishing an anarchistic paper? A. Yes, sir.

Q. Did you ask any questions then whatever pertaining to that fact? A. I do not remember of asking any; I may have asked one or two.

Q. Was that all that was said? A. In substance that was all that was said.

Q. That is all you can now call to mind? A. That is all I remember — yes, sir.

Q. You said, I believe, that you took dinner with Mr. Cure that day? A. Yes, sir.

Q. Was there any other person present during the noon hour at his house? A. None except his wife.

Q. Did you have any conversation there in reference to the Vincents? A. No, sir.

Q. Was there anything said in any conversation that you had at his house in reference to the *Courier*, or its editor? A. Not that I remember of.

Q. Of the politics of the editor? A. Not that I remember of.

Q. Did you at that time learn the politics of the marshal, Mr. Cure? A. I learned that in the morning, not at his house.

Q. You learned that he was a republican? A. Yes, sir.

Q. You knew that the sheriff was a union labor man? A. I knew that before I went to Winfield.

Q. You remained with Mr. Cure all that day, substantially? A. Yes, sir.

The witness was excused.

Mr. J. W. CONNOR, being duly sworn, testified as follows:

Examined by Mr. Curtis: Q. You may state your name to the Committee. A. J. W. Connor.

Q. Where do you reside? A. Winfield, Kansas.

Q. How long have you resided in Winfield? A. Twelve years, lacking a few days.

Q. What official position did you hold in Cowley county during the year 1888? A. I was sheriff of Cowley county.

Q. What was your politics at the time you were elected? A. I was elected on the union labor ticket. I had been a life-long democrat until 1887.

Q. You may state to the Committee when you first heard of the explosion at Coffeyville. A. About noon, on the day of the 19th of October.

Q. The day after the explosion? A. Yes, sir.

Q. Where were you at the time you heard of the explosion? A. I was at home — at my dwelling-house.

Q. Had you been away from the city? A. Yes, sir; just got home.

Q. You may state to the Committee if you met Mr. Clifford that afternoon. A. I met him that evening.

Q. After you heard of the explosion, you may state to the Committee what you did, as sheriff of your county, to apprehend the parties connected with the delivery of the box of dynamite to Mr. Upham. A. Well, I made some inquiries of Mr. Clifford that evening. He gave me a description of the party who was supposed to have left the box at the office of the Pacific express agent, and described Mr. Upham's position there, and his family. He said to me that the lady that got hurt

was the wife of Mr. Upham, the agent, and the girl was an adopted daughter; that she was no relation to either of them. He thought she was no relation to either of them. On Saturday I started for Independence, Montgomery county. I went to Longton; got there that night, sometime in the evening of that day. At Longton Prof. Vincent was with me. I think we got to Independence Sunday morning about daylight. I went to bed, I know. After breakfast I went over to the court house to see the sheriff of Montgomery county, and commenced conversing with him. He was not inclined to talk about it. In the course of our conversation I found that he had discovered that I had blamed Ed. Greer and the republican central committee with the crime, and asked—about the last words I had with the sheriff was in asking him if he was willing to help ferret out the matter in Montgomery county. He said, "Certainly I will; but I understand that you are laying that entirely to the republican party." I said, "Yes, sir; that is my belief." He said, "You go down and hunt it up at your end, and I will look it up at this end, and by the time we are through we will have as many union labor men locked up as you will have republicans." That evening, I think maybe about dark—I do not remember—I took the Missouri Pacific train south for Coffeyville. On the train I got in conversation with what I guess they call a porter, that is a colored man that does the same work that a brakeman does. I did not want anybody to know, in that county, my official position. I was partly in disguise. I changed clothes after going into the smoking-car. He seemed to know considerable about the explosion, and the conversation that had been had on Saturday or on Friday, the day after the explosion, and also on the day before. He described to me about the shape of the building; about this dark room that has been spoken of here; about the hole that had been made in the floor, and also that made in the room below, the cellar; and said that he was there on the evening of the explosion; and in the cellar; and he looked at the hole carefully that was made; and there was nothing there but the rubbish that was blown out of the ground. The next day he was passing—the next morning; and found a piece of gas-pipe, or saw a piece that had been found in the hole. I think he laid over in Coffeyville that night; I know he did. I went to the section-house; I think the section-house I stopped at, is west of the city of Coffeyville; I went there inquiring for work. One of the section-men I was partially acquainted with; he had been in Winfield, and was a member of the Knights of Labor, the lodge that I was also a member of at that time. I got to inquiring about Coffeyville, and let this section-man know what my business was. He knew I was sheriff. I think he was in Winfield when I was elected. I went to inquiring about Mr. Upham and his family, and if they were leading a quiet life. I had begun to get suspicious of them. He said he did not know much about him; had seen him frequently at the depot; but he was acquainted with a girl that worked at Mrs. Upham's, and believed he could find out. Two days after that I saw him, and he told me that he had seen a party that had conversed with the young lady that had worked for Mrs. Upham, and he understood that they were not living a very happy life, and had frequent quarrels. I heard from the colored man that Mr. Upham had described the package as being about twelve inches by eight inches the other way, and I got him to be present and to catch onto the conversation of those gentlemen around Mr. Upham's house the next day, that is Monday, and Mr. Upham described that box as being made out of half-inch lumber, sides, top and bottom, and the ends were inch lumber. Well, I wondered how Mr. Upham knew what the thickness of the ends of this box was, with half-inch lumber nailed all around. The sides, bottom and top of the box were made out of thin lumber and are always nailed on the outside of the ends; that is the object of the thick lumber on the ends of the box. I went to about all the sta-

tions within a radius of twelve miles of Coffeyville. I made inquiries of some cattlemen—I think they are called line riders—in the Territory. I could not hear of anybody going out of Coffeyville. I inquired of trainmen, depot employes, agents and all, and I at that time could not find anybody going out of Coffeyville. I came back to Winfield and told Mr. Moore, chairman of our county central committee, that if they would let up on that politically, and if Ed. Greer and the *Courier* would let up, we could get the man in the penitentiary. I told also Mr. Henry Vincent—at that time I was not on speaking terms with Mr. Greer, from the fact that I had abused the whole Greer family on account of the Vidette expose; I did not believe there was any truth in it; I thought it was a put-up job—I told Henry to let up. They never did let up. The officers of Montgomery county I did not dare approach, from the fact that I had accused them as well as the republican central committee and Ed. Greer of being implicated in the dynamite affair. When I saw Mr. Clifford at Winfield I had no conversation with him upon the subject whatever.

Q. You say you had laid this matter on the republicans and the Greer family because of the expose of the Videttes? A. Yes, sir.

Q. Had you talked with the Vincents about the Videttes since the first expose? A. Yes, sir.

Q. What, if anything, did they tell you about there being any such organization? A. I asked Mr. Henry Vincent, "What about that business in the *Courier*?" Those are about the words I used. I forget the date. He said, "There is not a word of truth in it." He said it was a political scheme to beat the union labor party.

Q. At that time did you know anything about the organization known as the National Order of Videttes? A. No, sir; I did not know there was such a thing in existence.

Q. After the second expose of the Videttes did you learn that there was such an Order? A. Yes, sir.

Q. Who from? A. From Mr. McRoberts.

Q. Who was McRoberts? A. He was a man in my employ at the sheriff's office; he was jail guard and turnkey.

Q. You may state to the Committee how you came to learn there was such an organization. A. Why, Mr. Frank Greer, brother of Ed. Greer, came into my office, and I asked Frank—I was friendly with Frank up to then—I asked him why it was they would publish a lot of lies that way. I told him I thought better of the Greer family than to take that advantage of us. He said it was a fact; it was true, and he could prove it. And he got to arguing, and I got vexed and out of humor and abused Mr. Frank Greer considerably. Mr. McRoberts was sitting in the office at the time, and when Frank went out, Mr. McRoberts said: "Connor, you will have to let up on that; they are going to prove it." I said to him, "What do you know about it? What in the name of God do you know?" He said, "I did not want to have to tell you, but I belong to it." I said, "What position do you hold in it?" I think he said "Captain;" he was some high-muck-a-muck in the county.

Q. Then that was after the second expose, was it? A. Yes, sir.

Q. That was the first you knew of the organization known as the National Order of Videttes? A. Yes, sir; and they met right across the street from my office.

Q. Did they not meet in the Vincents' office? A. It was in the Hackney building adjoining their office; it might have been in their office a part of the time.

Q. That was the reason, then—the fact that the Greers having published these two exposes—that you laid the explosion at Coffeyville upon Greers and the republican party? A. Yes, sir.

Q. And because you thought the statements published by them were untrue, that

there was any such organization? A. I thought if they were guilty of telling that kind of a falsehood, they could be guilty of the explosion at Coffeyville.

Q. After your deputy sheriff had informed you that there was such an organization within the union labor party of your county, did you talk to the Vincents about it? A. No, sir; I do not think I ever did any more then.

Q. Do you know who received the dispatch that was testified to by Mr. Clifford this morning? A. Mr. Roberts received it.

Q. What time, if you know? A. About ten minutes after eight o'clock along in the evening of the 18th. It is marked "Received at Winfield, 8:05."

Q. Please produce that dispatch, if you will. [Witness handed the dispatch to Mr. Curtis.]

Q. I will ask you to state to the Committee if you ever knew or learned that McRoberts discussed the contents of that dispatch to other Videttes? A. I don't know.

Q. Did you learn anything about his having done it? A. When I heard of him taking the dispatch to the express office, it was right after dinner. I had an early dinner and came right down to the office. I asked him why he had opened the telegram, for no one was authorized to open telegrams, except my son, in my absence, and he said it came to the office opened. He said the end was torn off when it came to the office. He said he went immediately to the express office and showed it to the agent there. And I asked him why he did that. I told him no express matter would be in until the next day. He said he thought there was an express train came in in the evening.

Q. Did you ever learn or have any intimation of him discussing the contents of the dispatch to any other Vidette? A. When I heard that day that it was known in town that there had been an explosion at Coffeyville, I asked McRoberts, and he said there was a man standing in the express office. I asked him what party he belonged to, and he said one of our fellows. That is all that I know.

Q. What did he mean; standing in the express office at what time? A. At the time he came into the express office.

Q. You asked what party he belonged to, and he said, "One of our fellows"? A. Yes, sir.

Q. What did you understand by what he meant by "One of our fellows"? A. One of the union labor party.

Counsel offered and read in evidence the telegram, which was marked Exhibit 36, and was as follows:

[EXHIBIT 36.]

THE WESTERN UNION TELEGRAPH COMPANY.

[Printed matter.]

No. —, sent by —, received by —. Hy. O. K 30. Paid.

Received at Winfield, Kansas, 8:05 P. —, Oct. 18, 1888.

Dated, Coffeyville, Ks., 18—.

To Sheriff Connor: Arrest and hold any person calling for express matter at Pacific express office directed to L. L. Owdens, from P. Jason, billed from Coffeyville, dynamiters. Meet me at morning train.

N. M. CLIFFORD, Deputy Sheriff.

Q. State if you received a second dispatch. A. No, sir.

Q. If you have at any time said anything about a second dispatch, you may explain. A. I believe I told Mr. Henderson at one time that I received two telegrams. It was a long time after—it must have been about the time this affair came up—I thought I got another dispatch to meet him at the train; that made me think I had got two telegrams; but after finding that telegram, I am satisfied that was all I ever got.

Q. Now, you may state what you have been doing, or what you did do while you was sheriff, in addition to what you have already testified to, to apprehend the party who was supposed to have delivered that box to Mr. Upham. A. I became convinced

as early as the latter part of November of that year, 1888—I became convinced in my own mind that no political party had anything to do with the Coffeyville explosion; though later on I had that conclusion of mind shaken by Mr. Henry Vincent. He said Poorman had confessed or was going to confess to being a party to the Coffeyville explosion. For awhile I thought probably I was wrong. I asked Mr. Vincent—well, he made complaint to me that the officers over in Montgomery county would not do anything; and I told Mr. Vincent if that was a fact, that there were guilty parties in our county, and if we could possibly get evidence enough to hold them over on a preliminary trial, to the district court, I would swear the complaint myself, and I was satisfied our county attorney would file a complaint, as I had talked with him about it. Mr. Vincent said they were getting evidence right along; and the next time I talked to Mr. Vincent he had a complaint, which I think was sworn to. He had sworn to it before a justice of the peace, one of our men, a union labor man in Arkansas City, a town thirteen or fourteen miles south of us, and he showed it to me. He then said, "I believe that Poorman has confessed," and I told him then, if Poorman had confessed, there was no use to make a complaint down there; that I was sure we could get a complaint sworn to at the county seat, and we had a promise that the warrant should come. I guess I got a little vexed, and he went off, and I do not believe I have ever talked to Henry Vincent any more about it. That was probably in January or February—not later than February, 1889.

Q. Did you not also learn from the county attorney of Cowley county that the county attorney of Montgomery county would prosecute, and did you not so inform Mr. Henry Vincent? A. The last time I talked to Mr. Vincent I told him that the county attorney of Montgomery county would prosecute—that our county attorney had said so.

Q. Did the officers of Montgomery county at any time refuse to render you assistance? A. No, sir; I never asked them for any.

Q. Didn't the sheriff inform you that he would do his part, and do all he could to bring these parties to justice? A. Yes, sir; he said he was doing it.

Q. After you learned of the explosion, and before you learned there was such an organization as the Videttes, from members of the Videttes, did you have frequent talks with the Vincents about the explosion? A. No, sir; I do not think I had frequent talks.

Q. Did you have any talks with them? A. Yes, sir; I had a talk with Henry Vincent and with Leo Vincent. Most of my talk was with Moore, the chairman of the county central committee, our union labor chairman.

Q. Did he, Moore, at any time inform you when he first learned of the Coffeyville explosion? A. No, sir; I do not think he ever did. I think he said my son was the first one told him.

Q. During the several days that you had been down in Montgomery county investigating this case, did you make a pretty thorough investigation of all the clues that you could get hold of? A. Yes, sir.

Q. I want to ask you this question: Did you say the colored man told you that he had examined the hole in the cellar of Mr. Upham's house upon the evening of the explosion, and there was nothing in the hole except the rubbish? A. Yes, sir.

Q. And then again, on Friday, he had been there, and had learned that after he made the examination, that other parties had claimed they found a piece of gas-pipe there? A. I think he said it was found Friday morning; he talked as if he knew it was found in the hole.

Q. Now, from the examination you made of this matter in looking it up, I will ask you to state if, in your opinion, any political organization, or leaders of any

political party, had anything to do with the explosion at Coffeyville? A. I am satisfied they did not.

Q. I will ask you to state, if from the examination you made as sheriff, and from what you found and learned, if in your opinion the explosion, or box, was prepared for any political purpose? A. No, sir; I am satisfied, in my own opinion, it was not.

Q. Why was it you said if the papers would keep still—and I understand you told Mr. Vincent and Mr. Moore, and you did not tell Greer, because you were not upon speaking terms at that time—that if the papers would keep still you would have the parties in the penitentiary? A. I thought I had clews enough to work up a case upon, provided they would not have public sentiment turned against us; the newspapers, I mean.

Q. The newspapers, the union labor papers, were trying to lay it on the republicans, the republicans were trying to lay it on the union labor men, were they not? A. Yes, sir; and the people were quarreling among themselves on the streets.

Q. Now, after the explosion did you have any talk with Volney Beard with reference to any conversation or anything that he might have heard about the explosion, anything that he might have heard between Mr. Greer and others? A. Yes, sir.

Q. Tell the Committee when you had the conversation, and just what he told you. A. I think I got back from Coffeyville on Friday the week following the explosion. I went away on Saturday evening, I think it was, and got back Friday morning on the Missouri Pacific; and that day in the forenoon, before dinner, Mr. Beard came down by the court-house yard, and I was standing at the gate coming out from the sheriff's office, talking to somebody there. He called me down to the fence a ways and asked me if I was still trying to work up that Coffeyville dynamite case. I told him I had about given it up. He said, "If you are, I believe I have got some news for you." I said I would take it, and if there was anything in it I would work it. And he told me of being in his place of business and hearing a conversation between Mr. Greer and Sol. Burkhalter. I think he said it was in front of his place of business. I think he said Hendricks and Wilson were up by their store, and Jim Cooper was there.

Q. Now tell the Committee just what he told you. A. Why he said he heard Ed. Greer say, "Didn't we shoot it to them?" and that Sol. said, "Yes, we did"; and that Ed. said to Sol., "You wait awhile, and you will see a worse bomb than that fired into them." I think that is about all he said to me.

Q. Didn't he tell you that was all he did hear? A. I do not remember whether he did or not. I do not think I asked him if that was all. I said "Keep quiet, and I will look it up. Do not say anything about it to anybody, and I will look it up."

Q. Did you afterward investigate about what time he had reference to, if it was the time of the first expose? A. Yes; I made some inquiries, and found it was quite awhile before, and then I began to hunt it up, and it was about—I came to the conclusion it was on the evening of the same day of the first expose.

Q. Did he tell you in that conversation at that time any day or night that he heard this supposed conversation between Mr. Burkhalter and Mr. Greer? A. I do not think he told me, but from the inquiries I made I found out there was a crowd of men standing up there in the afternoon just after the paper came out, on Main street, about five or six o'clock, a party of these people that I have just mentioned were in front of Hendricks & Wilson's store.

Q. I will ask you to state if, when you visited the sheriff of Montgomery county, he did not inform you he was offering a reward of one hundred dollars for the arrest of the party who delivered the box to Mr. Upham? A. Yes, sir; and I told him I had offered one hundred, and he said he would give one hundred too.

Q. Did you notice anything in his conduct to lead you to believe that he would not assist you, and do all he could to cause the arrest of the parties who had delivered the box to Mr. Upham? A. Well, I could not tell exactly. I am satisfied he was vexed considerably for being accused of being implicated in the explosion.

Q. After you had investigated the statement that Mr. Beard had made to you, did you afterwards drop the matter? A. Yes, sir.

Q. You may state why you did it. A. Why, I was satisfied, in my own mind, that there was nothing in it. I had come to the conclusion that it was on account of that exposure, and that he meant that next bomb would be the next expose in the paper.

Q. You may state to the Committee what the Vincents had to say about this explosion, and whom they charged with it, and what they wanted you to do about the matter. A. They never said much to me about it, nor I to them. All there ever was of our conversation, was that Poorman and Henrie were the guilty parties; they were the ones who did the work; that they were the ones that did the work for these gentlemen; the gentlemen I have heard mentioned here, Hutchins, Booth —

Q. Did Mr. Henry Vincent tell you he had obtained the confession of Geo. W. Poorman? A. I think the last time, he did say that he had confessed. I know he talked twice about the confession, and the first time he said "We are going to get Poorman's confession."

Q. Did the Vincents at any time furnish you evidence which was in your mind sufficient to justify the arrest of any person? A. Never has been any evidence furnished to me.

Q. When did your term of office expire in Cowley county? A. On the 13th of January, 1890.

Q. Did you at any time make any demands of them that they furnish you with what evidence they had? A. I did not make any demands; but the last time I talked with Henry Vincent, I said to him: "If you will furnish the evidence, I will see that you need not go to Arkansas City to get a complaint; I will see that our county attorney furnishes it."

Q. Now after that did he furnish any evidence? A. He never did.

By Mr. Henderson: Q. You say, Mr. Connor, that you was a life-long democrat up to 1887. A. Yes, sir.

Q. You then became converted to the cause of the union labor party? A. Yes, sir.

Q. And immediately after your conversion you were nominated and elected sheriff of Cowley county? A. Yes, sir; that same year.

Q. You occupied that position for two years? A. Yes, sir.

Q. Your politics are and have been for some time, that of a republican? A. Yes, sir; ever since that Vidette expose.

Q. You were then a republican during the latter half of your term of office as sheriff? A. Yes, sir.

Q. Now, calling your attention to exhibit No. 36, I will ask you to state to the Committee when you first read that telegram? A. About noon of the 19th day of October, 1888.

Q. Where were you at the time you read it? A. At the sheriff's office.

Q. Was that the first information you had as to the explosion at Coffeyville? A. No, sir.

Q. From what source did you obtain your first information? A. My wife told me.

Q. After you got home? A. Yes, sir.

Q. What time did you get home? A. I got home about 11:15.

Q. After your wife had given you the information with reference to the explosion at Coffeyville, what did you then do, if anything, with reference to seeking out in-

formation as to the parties guilty of the crime? A. Why, that afternoon, nothing. I had considerable to do. I had been away from home about ten days, and I had heard that Mr. Clifford was in town.

Q. From what source did you obtain that information, about the presence of Clifford in the city of Winfield? A. From McRoberts.

Q. Did you obtain that information before you arrived at the office? A. No, sir.

Q. Did you remain at home until after dinner that day? A. Yes, sir.

Q. Did you have telephone connection with your office in your house? A. Yes, sir.

Q. Did you telephone to the office? A. No, sir.

Q. What time, then, did you go to the office? A. I had an early dinner, and got to the office about 12 o'clock.

Q. Did you know the substance of the telegram before you arrived there? A. Yes, sir.

Q. You had received the information from your wife? A. No, sir.

Q. From whom did you receive it? A. My son, an office deputy, John Connor.

Q. What time did he give you the substance of the contents of the telegram?

A. At dinner, at the dinner table.

Q. Then you went to the office, and Mr. McRoberts informed you that Mr. Clifford was there? A. In the town; yes, sir.

Q. Did you seek the whereabouts of Mr. Clifford that afternoon? A. No, sir.

Q. Did you make inquiry for him? A. Why, at that time I did—yes.

Q. From whom did you make the inquiry? A. McRoberts.

Q. Did Mr. McRoberts tell you the object of Mr. Clifford's mission to the city of Winfield? A. I do not think he did.

Q. Did he tell you anything that Mr. Clifford had said to him? A. No; he handed me the telegram right then.

Q. Did he say to you that Mr. Clifford had been to your office that afternoon?

A. I do not think he did. I think he said he had not been.

Q. He told you that Mr. Clifford had not been to the office? A. Yes, sir.

Q. Did he tell you Mr. Clifford was in town? A. Yes, sir.

Q. Did he tell you from what source he obtained his information? A. I think he told me that he had seen him with Sid. Cure himself.

Q. Do you remember the conversation that took place between yourself and Mr. McRoberts at that time? A. McRoberts told me that if I wanted to see Clifford that I would see him up about the *Courier* office.

Q. What did you say to that? A. I said that if Mr. Clifford had come to town and not to the sheriff's office, I did not care to hunt him up.

Q. Did he tell you how he knew that Mr. Clifford was at the *Courier* office? A. No, he did not.

Q. Did you ask him why he made that statement? A. I do not think I did.

Q. Did you telephone to the *Courier* office asking or inquiring whether or not Mr. Clifford was there? A. No, sir.

Q. Did you send either of your deputies to the *Courier* office for the purpose of ascertaining whether or not Mr. Clifford was there? A. No, sir. I told my son, J. M. Connor, an under-sheriff, that I would be busy that afternoon, and if Mr. Clifford needed any assistance and called on him, to help him; and he started up town. I am satisfied now that he did not go where Clifford was.

Q. Was he present at the time of the conversation between yourself and Mr. McRoberts in which you were informed as to the whereabouts of Mr. Clifford? A. No, sir.

Q. Did you inform your son where he was, or where he might be found? A. I told him he was in town; I said, "The deputy sheriff from Coffeyville, Mr. Clifford,

is in town; I understand he did not come to the office, and I am not going to hunt him; I am going to be busy, and can't go anyhow, but if Mr. Clifford calls on you for assistance, give it to him."

Q. What time that day did you meet Mr. Clifford? A. I should judge it was between six o'clock and half-past seven o'clock that afternoon.

Q. Was he alone or with some person at the time you met him? A. He was with some person.

Q. Who was the person? A. Joe Winton.

Q. What connection did Joe Winton, at that time, have with the *Courier*? A. He was employed there; I do not know whether he owned any part or not.

Q. Were you introduced to Mr. Clifford? A. I knew Mr. Clifford before.

Q. Did you approach him first, or did he approach you? A. They were standing there, and I and an under-sheriff were going up town to arrest a man.

Q. Where did you meet him? A. I met him on the corner of Ninth and Church streets.

Q. Did you have any conversation with him at that time? A. Yes, sir.

Q. How long did you converse with him? A. I would judge a half an hour.

Q. Did the under-sheriff remain there with you during this conversation? A. I think not.

Q. Tell this Committee now, Mr. Connor, all that was said in that conversation that you now remember. A. Well, I remember going up and shaking hands with Mr. Clifford, and passing the time of day, and asked him about the particulars of the explosion.

Q. Well, I did not ask for conclusions; I want what was said, as near as you can remember. A. Well, he told me there had been an explosion at Coffeyville, and described to me the name of that party to whom that box was to be sent, at Winfield. He said that the agent at Coffeyville told him that it was to be sent to L. Loudens, and I told Mr. Clifford that I had a telegram in my possession from him that said it was to be sent to L. L. Owdens.

Q. What did he say to that? A. He said it should be L. Loudens.

Q. Did he describe the person to you who was supposed to have left the box with Mr. Upham? A. Yes, sir.

Q. What description did he give you? A. He said he was a dark-complexioned man about forty-five years of age, medium build, and would weigh about 140 or 145 pounds; had on black clothes that at one day had been a good suit of clothes, but was now threadbare; had on a black slouch hat, shoes, and a black beard of about three weeks' growth. He said he was a man described as speaking a foreign accent, and I think I said that is the description of an Italian. That was about the first conversation we had about that time.

Q. Did you then render to him any assistance in seeking out any person of that description in the city of Winfield? A. I would not undertake to hunt a man of that description in Winfield. I thought a man ought to be in an asylum who would hunt that man in Winfield.

Q. The 18th day of the month was on Thursday, was it not? A. Yes, sir.

Q. This was on the 19th, and on Friday? A. Yes, sir; in the evening.

Q. Where did you go the next morning? A. If it was in the morning, I started for Independence. I think I did not go in the morning.

Q. I will ask you to state if you did not receive a telegram the following morning from the sheriff of Montgomery county, stating that the person who had deposited the box of dynamite with the agent at Coffeyville had been arrested? A. No, sir.

Q. Did you not receive a telegram of that nature from some source? A. I heard of one being sent; all I know was from another source.

Q. From whom did you receive the information? A. From Tom. Cavanaugh, conductor on a railroad.

Q. When did you obtain that information? A. It was Saturday morning.

Q. You say Thomas Cavanaugh; was it not Hugh Cavanaugh, a telegraph operator? A. It was Thomas told me.

Q. You are certain of that? A. Yes, sir.

Q. Where were you when you obtained that information? A. I was on the street. Prof. Vincent and I were together—I think we were together.

Q. Well, upon that morning when upon your way to the depot, if it was Saturday morning, did you pass the place of business of Mr. Beard? A. Early Saturday morning—yes, sir.

Q. Did you have any conversation with him that morning? A. No, sir.

Q. Did he say anything to you that morning? A. Yes, sir.

Q. Tell the Committee what that was. A. As I passed his place—I had been in the south part of town; I do not know whether it was morning or afternoon; it was just before the train started—I passed his place of business and he beckoned me and came to the door and said, "Connor, I want to talk with you." I said, "I have not got time; I want to make that train; I will see you when I get back."

Q. You were gone some weeks, were you not? A. I was gone eight days.

Q. You tell this Committee you were out investigating this matter during all that time? A. Yes, sir; that is all the business I had.

Q. To refresh your memory, I will ask you if you did not during that time go down to Coffey county to arrest two persons and bring them to Winfield, and did arrest them? A. No, sir; not during that time.

Q. Are you positive about that? A. I think I am. I know I went from Independence on Sunday evening to Coffeyville—I know that.

Q. Did you not go from Coffeyville to Coffey county? A. No, sir.

Q. Is it not a fact that you left Independence for Coffey county, and did not go to Coffeyville at that time? A. I think I said I was going to Coffey county, but it is a fact that I went to Coffeyville.

Q. Do you remember when you did go to Coffey county? A. It was right at the latter part of October. I know I served a warrant on a man the 27th day of October.

Q. Was it not the 23d day of October? A. No, sir.

Q. Do you remember the names of the persons whom you arrested in Coffey county? A. I arrested two men, not both at one time. The first man I arrested in Coffey county—his name was Mickens.

Q. Then you arrested another one, didn't you? A. Yes, sir; and his name was Lawfelt.

Q. Did you not arrest Mickens on the 23d of October? A. No, sir.

Q. Are you positive? A. Yes, sir; pretty positive.

Q. You stated to the Committee that you were disguised when you left Independence? A. Partly—yes, sir.

Q. And your object in disguising yourself was, you did not wish to be identified yourself as sheriff; didn't want Clifford to know you? A. No, sir.

Q. Did you go to see Clifford when you were in Coffeyville? A. No, sir.

Q. Did you send any person to see him? A. No, sir.

Q. Why didn't you want Clifford to know you? A. He was present at Winfield when I abused the Greers and the republican county central committee of Cowley county, and all the republicans in Montgomery county.

Q. The whole business? A. Yes, sir.

Q. You included the State central committee? A. No, sir; I did not know about that.

Q. If you had known Henrie at that time, you would have included him? A. I knew him.

Q. Did you accuse him? A. I think not.

Q. How long after that were you informed by the Vincents, that Mr. Henrie was immediately connected with the preparation of this dynamite bomb? A. I do not remember.

Q. About how long, Mr. Connor? A. Why, it was after we were getting pretty red-hot there.

Q. When was it with reference to the time you had the conversation with Mr. Beard, near the sheriff's office, in the city of Winfield? A. I think it was after that time, that I had the conversation with Mr. Vincent; but I had had a conversation or two with Mr. Moore.

Q. Prior to that time? A. Yes, sir.

Q. In that conversation, Mr. Moore informed you that Mr. Henrie was connected with that matter, or gave it to you as his opinion? A. Yes, sir; he gave his opinion.

Q. He gave you some circumstances at that time, did he not? A. Mr. Moore might. After McRoberts told me there was such an organization in Cowley county, and that he was a captain in it, and that Mr. Moore and the Vincents and others in Winfield belonged to it, I went to Mr. Moore and said, "Why is it that you have been saying and having me argue with the republicans that there was no such order in Winfield and Cowley county, when there was—in the union labor party?" He said, "How do you know there is?" I said, "McRoberts has told me so." Moore said, "Then I guess there is." Then he went on to explain that Henrie was a traitor and betraying confidences and getting the papers and ritual, and I do not know what all, and coming here to Topeka and starting a lodge or assembly, or whatever it was, in Topeka. I think that was the first time I ever heard that Henrie was connected with the affair.

+ Q. Now, is it not a fact, Mr. Connor, and do you not know it to be a fact, that at that time Mr. Ed. Greer and the republicans of Winfield were charging that the National Order of Videttes was a treasonable organization, that the Vincents denied the existence of any treasonable order? A. I quit reading the *Courier* outright after the first expose.

Q. Please answer my question. A. I do not know whether it was or not. The republican politicians of the city of Winfield were.

Q. Charging it to be a treasonable organization? A. Yes, sir.

Q. You know that I made that charge in the joint discussion between myself and Professor Vincent? A. No, sir; I did not know that you did.

Q. Were you not present upon that occasion upon the evening of the 6th of October? A. I remember of being there, but I do not remember you making that charge.

Q. Were you not present during that discussion? A. Most of the time; yes, sir.

Q. And was not the denial which you referred to in your answer to my former question only a denial of a treasonable order in the union labor party? A. I did not understand it that way.

Q. You tell this Committee that you did not? A. Yes, sir.

Q. You stated in your examination-in-chief, and immediately after this thing occurred—that is, this expose—you then became a republican? A. Well, I stayed with the party until after the election, and did good work.

Q. Is not that what you said in your examination-in-chief? A. When I found that a secret organization existed, I began to weaken.

Q. And you remained in office only one year from that time? A. Yes, sir.

Q. I will ask you to state if it is not a fact that you kept continuously in your

employ this man McRoberts, up to the last day of your official term? A. Yes, sir; not because he was a union labor man.

Q. Was it because he was an anarchist? A. It was because he was an old soldier.

Q. And for that reason you kept him in your employ? A. Yes, sir.

Q. You say he admitted that he belonged to this organization? A. I said to McRoberts, "I am ashamed of you," and he said, "Not any more than I am myself."

Q. And for that reason you retained him in your employ? A. Because he was an old soldier—yes, sir.

Q. When you went to Coffeyville, you met some person with whom you had some acquaintance? A. Yes, sir.

Q. And you sent him to interview some hired girl? A. I do not think he interviewed the girl, but some other girl that interviewed the lady.

Q. And you obtained the information that Mr. Upham and his wife did not get along very well together? A. Not entirely—no, sir.

Q. Did that aid you any in arriving at the conclusion as to who was guilty in that matter? A. To a certain extent—yes, sir.

Q. Upon whom did you lay the responsibility? A. Upon somebody at Upham's house.

Q. And you did it solely upon this third-hand report that you had heard? A. No, sir; not altogether.

Q. What other evidence had you to lead you to that conclusion? A. All the circumstances.

Q. Name one circumstance. A. Well, the circumstance of Mr. Upham resigning his position at Coffeyville, leaving his wife crippled and the daughter not expected to live, and going east, sometime in November, I believe, and staying there until April, and going to Lewiston, Me., and when his wife and daughter did start, stopping them in the city of New York and not going on to Maine, and him finally coming back to New York, and they afterward coming back to Coffeyville, Kan., and him and her brother afterward coming from Boston to Coffeyville, and while there transferring property that was then in his name to his wife; that is part of the circumstances.

Q. Did you reach that conclusion at the time that you said if Ed Greer and the *Courier* and the *Non-Conformist* would stop their publications, that you would send the men to the penitentiary? A. Not all of it—no, sir.

Q. What information had you received up to that time? A. I had the report that the girl made; I had the report that the colored porter or brakeman on the Missouri Pacific made; I had an explanation of the make of the box; I had a telegram in my possession saying L. L. Owden had found out that he had changed that to J. Loudon; and other little circumstances that made me suspicious him.

Q. Now then, did you tell Mr. Vincent, at that time, that you had ascertained these circumstances and facts? A. No, sir; I never thought I had a right to; I never told anybody except my under-sheriff.

Q. Did you tell the *Courier*, or its editor? A. No, sir.

Q. Did you tell the old soldier that you retained in your services? A. Yes, sir; I told him part of it.

Q. What part of it did you tell him? A. Why, I told him that I was satisfied that Ed. Greer and the republican party, nor any other party, had anything to do with the dynamite explosion at Coffeyville.

Q. Is it not a fact that that idea occurred to you within the last ninety days? A. I told my son, Matt. Connor, and to my wife, before the first day of January, 1889, the reasons why I had changed my suspicions.

Q. Is it not a fact that since the appointment of this Committee that you and

Mr. Greer have had repeated conversations with reference to that theory that Mr. Upham was guilty himself? A. Mr. Greer and I never had a conversation upon the subject of implicating Mr. Upham, and never have had of any kind.

Q. At no time nor any place? A. I do not think I ever told Mr. Greer that was my judgment; I do not remember it if I did.

Q. Did he ever tell you about receiving any letters from Wichita concerning that matter? A. I never talked with him at all.

Q. Did you propound the question to him, or did he question you? A. I do not know of any questions that been propounded upon the subject of that Coffeyville explosion, by Mr. Greer or myself.

Q. When was it you had your conversation with Mr. Vincent in which he told you that C. A. Henrie was connected with this matter? A. Well, once in the fall of 1888.

Q. Did you take any steps whatever to investigate the whereabouts and the character of the man C. A. Henrie? A. I think Mr. Vincent told me where he was.

Q. Did you take any steps? A. No, sir.

Q. Did he tell you he was here in Topeka? A. No, sir.

Q. Did he tell you where he was? A. I think he said he was in Bellaire, Ohio.

Q. Did he inform you as to where he resided. A. I knew where he resided.

Q. Where did he reside at that time? A. In Topeka, Kansas.

Q. Did you come to Topeka for the purpose of investigating his whereabouts at the time of this Coffeyville explosion? A. No, sir.

Q. Did you take any steps whatever to ascertain the whereabouts of C. A. Henrie at that time? A. No, sir; he told me he had detectives on their track.

Q. Did he tell you who he had? A. I do not think he did.

Q. Didn't he tell you that Mr. Highleyman, of Chetopa, was at work? A. I do not think he mentioned any names.

Q. Did he not tell you that Mr. Drugan, of Bellaire, Ohio, was at work? A. He said somebody was watching Poorman in Ohio; I do not know whether he said Drugan, or not.

Q. I will ask you to state if, after you changed your political faith from that of union labor to the republican party, if you have done anything in ferreting out this Coffeyville explosion? A. Yes, sir.

Q. What did you do? A. Well, before I gave up the union labor party until I was convinced—yes, I think a part of my theory came in after I was a republican. I was shaken at the time of that expose, and I began losing all faith in the union labor party, and at the time McRoberts said that thing existed.

Q. What did you do after you changed your faith? A. I cannot remember what I did do after that; I do not remember when the change was made.

Q. Well, did you look after Mr. Henrie after you had changed? A. No; Mr. Vincent and the detectives were looking after Henrie.

Q. Did you look after him? A. I never did at any time, before or since.

Q. Well, you were shaken a little politically at the time Mr. Clifford was in Winfield? A. No, sir.

Q. Hadn't the expose been published at that time? A. Yes, sir; but I did not believe it.

Q. If you did not believe it, you told Clifford you were mistaken in your opinion of him. A. I never spoke to Clifford upon that subject until we came up to Topeka.

Q. When you found out you were both subpœnaed here for the defense in this investigation? A. I never knew we were both subpœnaed until after I got here.

By Mr. Curtis: Q. Did you leave the union labor party when you learned that

the Vidette expose was true. A. No, sir; I stayed by them through that campaign and worked to elect our nominees.

Q. Why did you so strongly object to the Vidette organization? A. I am opposed to any secret political sworn organization, and always have been.

Q. Now you may state to the committee why it was you did not look up Mr. Henrie and Mr. Poorman? A. I knew Mr. Poorman, and I also knew Mr. Henrie by sight, and I knew neither one of these men answered the description that I got from Mr. Clifford, and that Mr. Upham had given, and I could not see how they could be the parties who delivered the box at Coffeyville.

Q. After you having been sheriff of Cowley county at the time of the explosion, and investigating every clew that you could obtain, what, if anything, are your conclusions relative to the Coffeyville dynamite explosion? A. I thought it was a private matter—the Coffeyville affair.

Q. What did Mr. Moore tell you about Henrie? A. In the first conversation?

Q. Yes, sir; and you may give whatever he said afterwards about it. A. I want an explanation concerning the question of my arguing down the truth of the existence of the Videttes in the union labor party. He owned up that it had existed. He said that scoundrel of a traitor, Henrie, gave it away; and he said that Poorman had gone to South Haven, and Mr. and Mrs. Nutt had initiated Poorman into that secret organization, and he had got possession of the documents, ritual, and other papers, and had taken them to Topeka and had given them to Henrie, and he had set them up for Ed. Greer.

Q. Did he say anything more about Mr. Henrie? A. That is all.

Q. Didn't the Vincents and Moore deny that there was such an organization as the National Order of Videttes? A. Henry Vincent, when I went to him after the first expose, said, "The publication is not true; what they have published is not true;" and Leo said it was not true; and Moore said it was not true—all three of these. I do not know as I ever talked with Professor Vincent.

Q. You say, when you asked Mr. Moore why it was he was having you arguing with these people that there was no such organization, he then asked you how you knew it? A. Yes, sir; he asked me that.

By Mr. Henderson: Q. You were a member of the Knights of Labor? A. Yes, sir; master workman.

Q. When did you become a member of that order? A. In the fall of 1886, I think.

Q. You took an obligation when you became a member? A. Yes, sir.

Q. It was political, was it not? A. No, sir.

Q. You say it was not political? A. No, sir, emphatically; when I belonged, it was not. They tried to get political, and I had the authority to adjourn them, and I would.

Q. Is it not a fact that politics were taken in it, and by reason of your connection with it, you were elected sheriff of Cowley county? A. No, sir; surely not, or I would never have accepted it.

By Senator Kimball: Q. Is it not a fact, Mr. Connor, that the very constitution upon which the Knights of Labor was organized, prohibited anything of a political nature? A. Yes, sir; it is very strict. We would lose our charter and the assembly would be broken up if we allowed politics in it, at the time I belonged. I have not been in since about the time of the Vidette expose.

Q. Now, at the time that the Vincents told you that these things that had been published in the *Courier* about the society of Videttes were not true, do you remember what you said to the Vincents that caused them to make that reply? A. I remember what I said to Henry Vincent.

Q. What was it? A. I said—I think it was probably the day after that expose, close after, the first time I saw him—I met him at the foot of his stairway going to his office; he was coming down and I was going up, and I said, “Henry, what about that business that Greer has in the *Courier*—that Vidette expose?” He said, “There is not a word of truth in it.”

Q. Were you explicit enough in your statement to any of the Vincents for them to understand that you wanted to ascertain whether there was such a secret society as the Videttes in existence in the union labor party or not? A. Yes, sir; I made them understand.

Q. Whether there was such a secret society in existence or not? A. Yes, sir.

Q. Now, what did they say to you as to whether there was such a society as that inexistence in the union labor party? A. I did not believe myself there was a secret organization in the union labor party.

Q. And yet Ed. Greer's paper had charged that there was? A. Yes, sir.

Q. And you asked them if it was true that there was such an organization, did you? A. I asked Henry Vincent first what Ed. Greer was getting off in that Vidette expose—what they meant; he sort of laughed and said, “Jim, there is not a word of truth in it.”

Q. This matter that you referred to was the publication of the first expose? A. Yes, sir.

Q. In which Mr. Greer went on in his paper and set forth the ritual, the oath and the charge that such an organization as that did exist in the union labor party? A. Yes, sir.

Q. And in reference to that Mr. Vincent said there was not a word of truth in it? A. Yes, sir—just laughed, and said there was not a word of truth in it.

Q. Now, referring to the statement that Beard made to you at that time in reference to some information he had in regard to the guilty party; that is, the parties who were guilty of complicity in this explosion, did he in that conversation say that Mr. Burkhalter said to Mr. Greer, “Ed., my God, that is awful dangerous,” to which Ed. replied, “No, sir; not at all,” whereupon Burkhalter said, “Well, how are you going to fix it?” to which Ed. replied, “I am going to have an officer there when the package is delivered.” Did Mr. Beard say he overheard any such conversation as that? A. He never did to me.

Q. Did he ever say to you that he had heard any such conversation as that? A. No, sir; only since he gave his testimony, not before.

By Mr. Senn: Q. Is it not a fact that the Knights of Labor are accustomed to devote some time in every meeting to the discussion of economic questions? A. Yes, sir.

Q. Then you are in harmony, I suppose, with these principles that the Knights of Labor advocate? A. Yes, sir; most assuredly.

Q. And you joined the union labor party because you thought they were working in the same line? A. Yes, sir; on account of their platform.

Q. You were in sympathy with the union labor platform? A. A greater part of the platform—yes, sir; some planks in that platform, I was opposed to.

Q. And then you said that you left or weakened on the party, when you found out there was a secret political organization within the party? A. I began to weaken; I will say that our platform, to a certain extent, discountenances caucuses, rings, etc. I was a delegate to the State convention held at Wichita in 1888; the union labor convention at Wichita. I was at the hotel in which most of the leading people of the union labor party were stopping, and I discovered that they were having something in some of those rooms, that was not in the ordinary every-day caucus business. Still further, I knew that there were places that I could not go, and these

places or rooms I discovered, and found out that night before twelve o'clock that Mr. Breidenthal, and P. P. Elder and others, were in there; the next day our convention convened, and elected their officers with a whoop, and in the afternoon all the candidates were all nominated and elected. I knew, in my own mind, that these nominations were all made, cut and dried in the rooms of that hotel; but I could not tell at all how that came about, until after that expose, and then I became satisfied that they were the workers of it.

Q. Was it different from other conventions? A. I have been in democratic conventions, and I know there were no secret rooms.

Q. You have never been in republican conventions? A. I had been to some of their side-shows.

Q. How did it come that when you got disgusted with the union labor party that you didn't go back to the democratic party instead of the republican party? A. It went out of existence; we never had a county organization.

By Mr. Templeton: Q. Are you sure that secret room was not a joint? A. There was a room near, that was.

By Mr. Senn: Q. Did the question of principle have anything to do with you when you changed from the union labor party to the republican party? A. It was all principle, I reckon.

Q. Did you think that the principles of the union labor party had all at once become bad and the principles of the republican party good? A. No, sir; the union labor party also died. It went out of existence.

Q. And how about the principles you advocated? A. Some of the union labor party principles were good; most of them were good.

Q. Did the republican party adopt them? A. We had some that the republicans had. In our county, when the union labor party went out of existence and the people's party was formed, I cannot say how that was done; it was about like when I went out of union labor to republican—I went by degrees. I saw, going to the people's party out of the ranks of the republican party, men who had cursed and abused the union labor party, and accused the Vincents of being anarchists and dynamiters—that all ought to be hung or driven out of the county; and these men that I had heard make these remarks; and it seems they took pleasure, when they met me, accusing me; I guess they knew I had always resented it—such as Bill Grow, Dick Chase, Mike Markham, Bill Henderson, and Sam Strong; and after these men that were the worst enemies of the union labor party going out of the republican party and joining the people's party, I thought most of the corruption had left the republican party. That is my honest conviction.

Q. Did you ever take the trouble to examine the principles of the declaration of the Videttes? A. No, sir; they had a secret oath; that was all I wanted to know. I did not care what their principles were.

Q. Didn't the Knights of Labor have an oath? A. I am opposed to any secret sworn organization that is political.

Q. How did you know they had politics? A. I found out they were in the union labor party. I found out that the Vincents, who edited our paper that defended the union labor party—I found out that the Vincents and Ed. Moore were in the Wichita convention, and had been in the ring of this secret work, by which Breidenthal and P. P. Elder got their nomination without at least the consent of a large majority of that convention.

Q. What nomination did Breidenthal get in that convention? A. I believe he was to be made senator of the party. By the way, Breidenthal was a conspicuous officer in the convention, which made me think he got a nomination.

Q. Did you not know that a very large proportion of the Knights of Labor were

in the union labor party at that time? That was a secret organization and belonged to a political organization, and you did not condemn that. Why was it that you condemned another organization called the Videttes for working with the union labor party, when you did not apply the same principles to the Knights of Labor? A. I knew that the Masons and Odd Fellows voted in the union labor party, and yet they have no politics in their lodges, as I understand; and I know we had no politics in our Knights of Labor assembly in Winfield.

Q. Do you know that the Videttes had any more politics than the Knights of Labor? A. I know that, in my judgment, they had taken a corner on the convention at Wichita.

Q. Is it not a matter of fact that nearly all, or a large proportion of the leading men at that convention were Knights of Labor—and they might have been Videttes, too—but the point I want to make is: Why did you object to Videttes being in the union labor party when you did not object to the Knights of Labor being in the union labor party? A. Well, sir, for this reason: They had taken a part in politics as Videttes, with closed rooms. If the Knights of Labor, as Knights of Labor, had closed rooms against any part of that convention, I would have opposed them also.

Q. When did you find that out? A. Since Mr. McRoberts told me there was such a thing existed. I was satisfied in less than twenty minutes. It explained to my mind what had gone on at Wichita. It was a mystery to me, at the time, how the Wichita convention was conducted.

By Senator Kimball: Q. As you understood it, Mr. Connor, the purpose of this Vidette organization was to control the union labor party politically, was it not—one of the purposes, at least? A. Yes, sir; taking the expose, and what I had seen carried on, sir, some secret thing at Wichita, and I think it was a political order.

Q. An organization for the purpose of controlling the union labor party? A. Yes, sir; I actually did.

Q. But you did not understand that the Knights of Labor, as an organization, had any such object or purpose? A. I knew they did not; I knew well they did not.

By Mr. Carey: Q. Did the Vincents ever deny the existence of the National Order of Videttes to you, or rather, the charge made about the Videttes? A. They denied the first expose. Henry Vincent laughed, and said, "Jim, that is untrue."

Q. What was not true? A. The expose in that paper.

Q. Did they, in that denial of that expose, deny the existence of that order? A. They never named any order. That issue of the *Courier* was the question. I said, "Henry, what is this in the *Courier*?" or words to that effect; "What does it mean?" And he said, "Jim, there is not a word of truth in it."

Q. Was not the Vidette organization independent and separate from the union labor party and Knights of Labor? A. I think it was; but the union labor party was not separate from them.

Q. Is it not a fact that in any organization the members of it can go into some other organization without violating any obligation in the original organization? A. Most assuredly.

Q. Well, is it not a fact that members of the Knights of Labor could have gone into the Videttes and yet have been good Knights of Labor and union labor men? A. They could have been—yes, sir.

Q. You said you were opposed to affiliating with any organization that had a secret political oath? A. Yes, sir; I am opposed.

Q. In leaving the union labor party you went to the republican party? A. Yes, sir.

Q. Did you refuse to affiliate, or refrain from affiliating with the people's party

because of any oath connected with that organization? A. No, sir; I was not obligated to the people's party in any shape or form.

By Mr. Henderson: Q. You obtained some information, did you not, Mr. Connor, as to the purposes of the Videttes, before you made up your mind as to where you would next jump politically? A. I do not think I jumped.

Q. Did you ascertain some facts pertaining to the organization of the Videttes? A. No, sir; I cannot say that I did.

Q. Is it not a fact that you learned that the Videttes permitted all political parties — persons belonging to any political party to join this order; but did not permit general turncoats to become members? A. No, sir; I never knew that.

Q. Have you not said since you have been in Topeka, that if you had been informed of the organization of Videttes in Winfield at the time of its organization that you would have become a member, and that all this trouble would not have taken place? A. What trouble?

Q. You coming here and testifying. A. I assuredly did not.

Q. And you were not informed that turn-coats could not become members of the Videttes? A. Emphatically, no, sir.

Q. And it was not a fact that you said in connection therewith, that you was a candidate before the republican convention next to be held in Cowley county for the nomination of sheriff of Cowley county? A. I said I thought I would be.

Q. And have you not been grooming yourself for the last three or four months for the republican nomination for sheriff of Cowley county? A. I am groomed now just about as far on that sheriff business as you were for a congressional candidate for the people's party when Ben Clover ran.

Q. Now, about this Beard conversation. Where were you when you had the conversation with him? A. About thirty feet west of the north gate of the court house yard.

Q. What was it he said to you? A. He said, "Connor, I want to see you a minute." I think I was inside of the fence, a low iron fence that was there, and he was out on the sidewalk. I left the gate and called him down thirty or forty feet, maybe further, and he said: "Are you still trying to get on to that dynamite business over at Coffeyville?" I first said: "I am getting about disheartened in it." He said: "I know something." I said: "If you will tell me, I will work it for what it is worth," and he told me. He said "that in front of his place of business," that is Mr. Beard's, "that he saw Ed. Greer and Sol. Burkhalter; that Ed. Greer came up to Burkhalter and said, 'Sol., didn't I shoot it into them this time?' and Sol said, 'Yes, you did;' and Ed. said, 'Keep quiet, Sol.; it will not be long before you hear another bomb explode among them worse than that.'"

Q. Is that all? A. That is all.

Q. Did he tell you when that conversation was? A. He named it back, two or three weeks back.

Q. Did he tell you what time in the day it was? A. Well, he either said evening or afternoon; he might have said evening.

Q. What did he say? A. I would not be positive about that, but I came to the conclusion it was late in the afternoon.

Q. Did he tell you where Ed. came from? A. I think he said Ed. was going south.

Q. What did he say Sol. was doing? A. He was standing and talking to Hendricks and Wilson and Jim Cooper and others, and Sol. walked out when Ed. came up, walked out in front of the curbstone in front of Beard's. He said: "Ed. came from the north, and Sol. walked out in the direction of the curbstone, and he heard that conversation."

Q. How soon was that after the Coffeyville explosion that he told you? A. That was the Friday, a week after — probably the Saturday, a week afterwards — it was as late as Friday, eight days afterwards anyhow.

Q. You had forgotten all about this matter, had you, Jim, until after you heard Beard testify? A. No, sir.

Q. Did you ever tell anybody about it? A. I told Matt.

Q. Anyone else? A. No, sir; I do not think I ever told anyone else.

Q. Did you ever tell me? A. I do not think I did.

Q. Do you remember the day Mr. Beard testified? A. Yes, sir.

Q. Do you remember having a conversation with me in walking down from the state house to the hotel after Mr. Beard testified? A. Yes, sir.

Q. Now do you remember the conversation that took place between you and myself? A. Yes, sir.

Q. Will you state that to the Committee? A. Yes, sir.

Q. Well, go on. A. Mr. Beard was questioned by Mr. Henderson to know the first one that he told that to — that which he had testified concerning Ed. Greer and Sol. Burkhalter. I overtook Beard before I did you, immediately before I did you on this street running east. I said to Beard, "Why did you tell that I was the first one you had told concerning Ed. Greer and Sol. Burkhalter talking about that?" He said, "That is the reason that I told Henderson he was drawing me out," and said, "I did not know you wanted it told; you told me never to tell it." Then I suppose Mr. Henderson overheard a part of it, and when I got up to Mr. Henderson I told him that Beard had told me the first one, I supposed.

Q. Told you what? A. Told me that Ed. Greer and Sol. Burkhalter had a conversation concerning that dynamite.

Q. You heard Beard testify before then? A. Yes, sir.

Q. And you told me, did you not, that you was the first person that he had told? A. Yes, sir; I believed I was the first person.

Q. And that you told him to say nothing about it? A. Yes, sir.

Q. Is it not a fact that the Knights of Labor, of which you were a member in your city, frequently adjourned its meetings and then met to look after city politics? A. I remember that we used to have meetings concerning a justice of the peace that was elected there; not as Knights of Labor, though.

Q. The Knights of Labor met in the hall, did they not? A. Yes, sir. The Sons of Veterans met in the hall, too.

Q. Didn't they meet frequently in consultation at the time you were running for councilman? A. I do not remember; I do not think they did.

Q. You say they did not? A. Well, they could and I not know it.

Q. Were you not with them? A. I was master workman at that time.

Q. Didn't you meet with them and talk over the situation? A. I will say one time the Vincents and Moore on one side, and Bill Allison and Mr. Gentry on the other side, were trying to get it in, when I was master workman, and I adjourned the assembly.

Q. Answer my question, please. A. Yes, sir; I have been with the Knights of Labor often.

Q. And talked over the situation? A. Yes, sir.

Q. In the lodge-room? A. Yes, sir; but the door was open.

Q. And at the time you were candidate for councilman? A. I do not remember.

Q. And were you not elected as a Knights of Labor candidate? A. No, I did not consider it so. I was not elected sheriff, and I never was elected for any office by the Knights of Labor.

Q. You tell the committee this? A. Yes, sir.

Q. As their candidate, I mean? A. As sheriff, yes; as their candidate.

Q. As their councilman? A. I never heard the name of union labor councilman.

Q. I said Knights of Labor? A. I think they supported me—yes, sir.

Q. And you was their candidate, and it was so arranged at their council meeting?

A. At our Knights of Labor meeting?

Q. Yes, sir. A. No, sir.

Q. You say it was not. A. Emphatically.

Q. At this meeting at Wichita to which you took so much exception, was Mr. Henrie there? A. I do not know, I do not remember.

Q. Were you acquainted with him at that time? A. Not well.

Q. Would you have known him if you had seen him? A. I believe I would have known him.

Q. Well, was he there? A. Possibly.

Q. What is your best recollection? A. I do not know whether he was or was not.

Q. Where had you met him prior to the time of the convention at Wichita? A. I do not remember now. He was pointed out to me here in Topeka once.

Q. Did you meet him at any state meeting of the Knights of Labor? A. Not to my knowledge.

Q. The room that you said you could not get into at Wichita; you do not know whether Henrie was in there or not? A. No, sir.

By Senator Kimball: Q. In answer to Mr. Henderson's questions I understood you to say that you were the Knights of Labor candidate for sheriff? A. No, sir; I did not mean that. I was the union labor candidate.

Q. You mean to say that you were the union labor candidate? A. Yes, sir; the Knights of Labor had no candidate that I remember of.

By Mr. Crumley: Q. In your testimony you said you was not under any obligation to the people's party. I would ask you if you were under any obligations to the republican party? A. No, sir; I had a choice; it was a free country.

By Mr. Dawes: Q. You have read this little red book published by the Vincent brothers? A. Part of it.

Q. And, speaking of the Videttes, I would ask you if you read page 4 of the little red book—that portion in which the Vincents confess that the Videttes was a political organization, organized for the purpose of controlling the union labor party? A. I read further than that in the book.

Q. That portion of it in which they admit that it was for the purpose of controlling the union labor party and a more convenient means of controlling that party. A. Yes, sir.

Judge Webb: Q. That is the part you alluded to when Henrie told you there was not a word of truth in it? A. That book was not in existence then.

Q. That book was not in existence then? A. No, sir; nor the language, that I know of.

Mr. Dawes here offered in evidence page 4 of the little red book entitled "The Coffeyville Dynamite Outrage," beginning with the word "Videttes," in the first column of said page, and including all of the balance of said first column, and the first two paragraphs of the second column, ending with the words "last fall." Counsel stated that this was offered for the purpose of showing that the Videttes was a political organization, organized for the purpose of controlling the union labor party.

Judge Webb objected to the introduction in evidence of that part of the book.

Committee adjourned to meet the following morning at 9 o'clock.

TOPEKA, Thursday, March 26—9 A. M., 1891.

Committee convened pursuant to adjournment. A quorum present.

Mr. Dawes stated that inasmuch as the facts sought to be proven in the offer that was made the evening previous were contained in the testimony of Prof. Vincent, the offer was withdrawn.

Mr. J. W. CONNOR further testified as follows:

Examined by Mr. Curtis: Q. I will ask you to state, Mr. Connor, since you testified yesterday if you have refreshed your memory upon any points and have a desire to make any corrections in reference to what official duties you performed after you went to Coffeyville the first time to investigate this dynamite explosion? A. Yes, sir; I have.

Q. Make any explanation you desire to the Committee. A. Between the time of Sunday evening after the explosion, and Tuesday evening following, I made an arrest. I had two warrants; one was for a man in Elgin, Chautauqua county, and one was for a man in Leroy, Coffey county—a man by the name of Mickens, that my attention was called to yesterday. My impression now is that I arrested the man in Elgin. It may be possible I went to Leroy and arrested Mickens. If that be a fact, I served the warrant on Mickens the first Monday after the explosion; if not, the warrant I had served was on a man in Elgin, in Chautauqua county.

Q. You arrested one of the two parties the Monday after the explosion? A. Yes, sir; I remember of taking a prisoner to Winfield between the time that I was at Coffeyville, on Sunday evening, and my return to Coffeyville, on Tuesday evening.

By Mr. Henderson: Q. Do you remember at what time you arrived in Independence on the Sunday following the explosion at Coffeyville? A. It was before daylight; I know I took a room and went to bed. It may have been two o'clock in the morning.

Q. Who was in company with you? A. Prof. Vincent.

Q. At what hotel did you stop? A. It was one of the prominent hotels of Independence; I cannot name the hotel.

Q. Was it the Coldwell or Hooper House? A. I could not tell you now.

Q. Where did you go the next morning? A. To the court house; the sheriff's office.

Q. Did you have any conversation with Prof. Vincent, immediately before starting to the court house? A. I think I had.

Q. Do you remember the subject-matter about which you talked? A. Why, yes.

Q. What was it? A. It was concerning the explosion; the work that was to be done, to a certain extent.

Q. When you went to the court house, did you see the sheriff? A. Yes, sir.

Q. Who was sheriff of Montgomery county at that time? A. I think it was Hestor.

Q. Had you ever met Hestor prior to that visit to Independence? A. Yes, sir.

Q. How long was you in conversation with the sheriff? A. Half an hour, probably—maybe longer.

Q. Did you immediately return to the hotel after your conversation with the sheriff of Montgomery county? A. Yes, sir; I think I did.

Q. Did you have any conversation with Prof. Vincent upon your return as to the result of your interview with Mr. Hestor. A. Yes, sir; I think I had.

Q. I will ask you to state if it is not a fact that you stated to him, meaning Prof. Vincent, upon your return to the hotel, that Sheriff Hestor would do nothing, and that you was very much dissatisfied and discouraged with the conversation which you had with him? A. Not in those words; no, sir.

Q. Did you not say that in substance? A. No, sir. I said this in substance: I

said to Prof. Vincent that I had had a conversation with the sheriff and that he was off, and that it was no use for me to undertake to try to work with the sheriff of Montgomery county; that, in substance, is what I told Prof. Vincent.

Q. And as a matter of fact thereafter you never did attempt to work in concert with him in seeking out the parties guilty of this dynamite outrage? A. No, sir; we had an understanding when we parted as to what we were to do, the sheriff and I.

Q. Do you tell this committee that you had an understanding? A. Yes, sir; I considered it an understanding.

Q. Then if you had an understanding with him as to what should be done, jointly, as between you, why did you say to Prof. Vincent, upon your return to the hotel, that you could do nothing with him? A. Jointly, I would like to leave that out. It would not be jointly, the understanding I had with Sheriff Hestor.

Q. How did you get to Coffeyville that Sunday? A. I went on the Missouri Pacific.

Q. What time in the day? A. Afternoon or evening.

Q. Did you go on a freight train, or passenger? A. Freight.

Q. Was Prof. Vincent on the same train? A. I could not tell you.

Q. Do you remember when you and Prof. Vincent separated there in Independence? A. In the forenoon of that Sunday, I think. I told Prof. Vincent, I believe, that I was going to Leroy, Coffey county.

Q. Well, is it not a fact that you directed Prof. Vincent to go to Coffeyville, stating to him, at the same time, that it was your intention to go to Leroy, Coffey county, for the purpose of arresting this man Mickens? A. No, sir; that is not a fact.

Q. Is it not a fact that you were not in Coffeyville, until Wednesday following? A. No, sir; it is not a fact.

Q. If you went to Coffeyville Sunday night, what time did you leave there for Leroy? A. If I went to Leroy, I went there in time to make the arrest in the forenoon of Monday, and I do not know what time I arrived in Leroy. I want to say that on that Sunday night I slept for a number of hours in a bed in the section house of the D. M. & N. railroad.

Q. Don't you know that the only passenger train that would convey you to Leroy Monday morning left Coffeyville about 10 o'clock Sunday night? A. I do not know; I could not tell you.

Q. Do you know when the train did leave Coffeyville? A. No. If I left Coffeyville that night going north, I left before daylight; I am certain about that. I am not certain I went north. It seems as though I went west.

Q. Did you have a conversation with the person whom you mentioned yesterday with reference to the domestic relations between Mr. Upham and his wife that night, or was it had after you returned from Coffeyville? A. It was on Sunday night, at the section-house.

Q. You are positive about that? A. I am positive about that; no mistake; and I think it was between the hours of 6 and 8 o'clock on that evening. It was making inquiries; it was not a conversation I had with this man concerning this family, at all.

By Mr. Curtis: Q. You may state to the committee what your understanding with the sheriff of Montgomery county was. A. I testified to that yesterday.

Q. You may state what you did tell Prof. Vincent about going to arrest a man. A. Prof. Vincent, after I came from the sheriff's office at Independence, I told him about what I told yesterday, the substance of what I told you in answer to your question to-day. Prof. Vincent said he was going down to Coffeyville. I told him--I am satisfied I told him I was going to Leroy; and I think he asked, "What

will I tell them down there about you?" or probably I told him to tell so-and-so, and it may have been to tell Clifford, that I will be there on Tuesday or Wednesday. At that time I was determined to cover up my tracks from everybody, if I possibly could; at the time of this conversation with Prof. Vincent.

By Mr. Henderson: Q. You stated yesterday, Mr. Connor, that you were disguised when you left Independence. A. To a certain extent.

Q. What degree of disguise did you use? A. Same as I had used before. I am a stone mason by trade, and through my term of office I still retained a pair of overalls that I wore working at that trade. I wore them with what we would call a duck jacket, just a laboring-man's suit; and in going out of Independence I went into the private room of the car and pulled those overalls and jacket on, and put my coat in the valise I carried.

Q. What sized grip did you have at that time? A. It was a pretty good-sized grip. I have it down at the hotel. It is a grip about sixteen inches long.

Q. Is it the same grip you have now at the hotel? A. Yes, sir; the same one I had the last trip—not the one I have now.

Q. Is it not a fact that the grip you have now is the one you had the first time? A. No, sir.

Q. Is it not a fact that all you had in the grip was a pair of handcuffs and a revolver? A. No, sir; I had a revolver all of that trip, and I carried it slung upon what they call a shoulder-strap, which comes down over the shoulder, and the revolver under the coat.

The witness, Mr. Connor, also Mr. Clifford and Mr. McNery, were discharged from further attendance upon the Committee.

J. W. HENTHORN, being duly sworn, testified as follows:

Examined by Mr. Dawes: Q. Where do you reside? A. Winfield, Cowley county.

Q. Where were you living in October, 1888? A. In Winfield.

Q. What business were you engaged in at that time? A. I was doing local and editorial work on the *Winfield Telegram*.

Q. What was the politics of that paper? A. Democratic.

Q. Who was the editor of the paper? A. Hotchkiss & Edwards.

Q. Were they proprietors of the paper also? A. They were at that time.

Q. Do you remember the fact of hearing of the explosion at Coffeyville, at that time? A. Yes, sir.

Q. After the explosion, if you said anything or did anything toward charging the responsibility of that affair upon anyone, you may state what it was? A. After reading the account of the explosion in the *Winfield Daily Courier*, I met Mr. Edwards, one of the editors of the *Telegram*, in the office, and he asked me what I thought of that article and of the explosion. I told him I did not know what to think of it; but the best thing we could do, would be to charge it on the republican state central committee, in connection with the *Courier* and the Cowley county central committee, for political effect.

Q. You may state what steps you took toward doing that. A. He agreed with me; and the next morning we made the charge; more than that, I telegraphed as correspondent to the *Chicago Times*, the *Kansas City Times*, and the *St. Louis Republic*, and telephoned the *Wichita Beacon* my views of it.

Q. In substance, what did you say? A. That in order to bolster up the expose of the Vidette organization, it was probable, and was believed by the people of that community, that the republicans had deposited that bomb in Coffeyville to be sent to Winfield, and there to be found in the possession of the opposite party, and be used for political effect in that way.

Q. Were these messages, both telegraphic and telephonic, published in the papers to which you sent them? A. They were.

Q. Did you take any stand in the *Telegram* editorially on this matter? A. We did.

Q. Was the substance of the editorial matter the same as the telegrams you sent out? A. The same.

Q. Charging the republicans with it? A. Yes, sir.

Q. After the *Telegram*, the democratic paper, had made these charges, and after the editorials in the *Telegram* making these charges, did you have any conversation with Henry or Leo Vincent concerning the matter? A. Well, yes; we did have some conversation with them—I did have.

Q. Did you have any conversation before the publication in the *Telegram*? A. I did not, that I remember.

Q. How long after making the charges in the *Telegram*—that the republican state central committee had deposited the bomb—was it until you conversed with the Vincents about it? A. Well, I think it was probably—our paper was published in the morning—it was probably that evening.

Q. Now which one of the Vincents did you talk with? A. I cannot say. I can explain this by stating that they would drop in occasionally in the office. The conversation might not have been directly with me, but I heard conversations in regard to it.

Q. What did either of the Vincents say in regard to it? A. They seemed to agree—it was the general conversation in the office that it was a good scheme politically. They seemed to agree with Mr. Edwards's and my views of that—to be used for political purposes, no matter what caused the explosion, during the campaign.

Q. Was there any agreement or understanding arrived at as to what was to be done in the future? A. It seemed to be understood that that would be the line of policy: to continue that charge, and to reiterate it, that the republican party was responsible for that explosion.

Q. You thought that was understood between the *Telegram* office and the office of the *Non-Conformist*? A. I did.

Q. Was there any other person or persons with whom this agreement was made or understood? A. Mr. E. S. Moore, who was the chairman of the union labor central committee of the county, was the one who most frequently visited the office, and he fell in with that view in the matter.

Q. Well, what about the *Wichita Beacon*? Did they have anything to say on that subject? A. They had the same to say that we had—took the same view. The fact is, Hotchkiss & Edwards were also proprietors of the *Wichita Beacon* at that time; and the next evening after the *Winfield Telegram* had made these charges, I received, about 12 o'clock at night, a telephonic message from the *Wichita Beacon* office, saying: "Jack, hold your position; it is the position of the democratic party of the state of Kansas."

Q. Who sent that telephonic message? A. I never was certain whether it was Dick Collier or Dick Colver; there was a Dick Collier in the *Beacon* office, and there was a Dick Colver traveling with John Martin in the campaign, who was reporting for the *Kansas City Times*, who frequently stopped at the *Beacon* office to consult with Charles Edwards, who was connected with the congressional central committee of the seventh congressional district, and was also one of the editors of the *Wichita Beacon* and the *Winfield Telegram*.

Q. Now, who first charged this explosion and the cause of it to the republicans, and especially to the republican state central committee, in the newspapers? A. I do not think there was any newspaper ahead of the *Telegram*, although the dispatches

I sent out from Winfield appeared in papers of the same date, and some of them commented editorially at that time.

Q. But that was in the same issues that your telegrams appeared in? A. Yes, sir.

Q. So that the first charges of that kind emanated from the *Telegram* office? A. Yes, sir, undoubtedly.

Q. Then, is it not a fact that you, yourself, was the person who originated and first advocated the theory and charged that the republican state central committee, in connection with the central committee of Cowley county, had the bomb placed in the express office at Coffeyville; and that afterward, the Vincents and certain democrats at Winfield, and Moore, the chairman of the union labor party of Cowley county, and others, entered into an agreement or conspiracy to charge the republican state central committee with that offense for political purposes? A. No, I won't say that; the first part, I think, is true; I will not say that we entered into any agreement or conspiracy, for I do not know that we did.

Q. Did you not formulate a plan and agree that that should be the line of the campaign? A. Well, not formally, but it seemed to be tacitly understood.

Q. You think they all understood it that way? A. I think so.

Q. And it was done? A. It was done.

Q. And this was done without any knowledge on your part of the real cause of the explosion? A. It was.

Q. And there was not one of the party talking who claimed to know anything about it, nor the facts in connection, was there? A. No, sir.

Q. And it was simply understood that this was a good political scheme? A. That is true.

By Judge Webb: Q. What became of that paper you designate as the *Telegram*, that you were at work upon at that time? A. It passed out of the hands of Hotchkiss & Edwards.

Q. Into whose hands? A. I am not positive; I think it was John Clark.

Q. Is it still published by anyone? A. Yes, sir.

Q. Is it still running at Winfield? A. Yes, sir.

Q. The explosion that occurred at Coffeyville is said to have occurred on the 18th of October; how soon after that was it that you sent the dispatches that you mentioned, and announced in the columns of the paper the view you have declared? A. I am not positive about that; I am not positive whether the published account of that was in the *Winfield Courier* on the night of the 18th or 19th. I sent them on the evening when the account of the explosion occurred in the *Winfield Courier*.

Q. You do not remember whether any allusion was made to the fact of the explosion in the *Courier's* issue of the 19th or not until the 20th? A. I am not certain about the date.

Q. Are you sufficiently certain to know it was either one or the other of these dates? A. No, sir.

Q. Did you yourself know or understand upon what day, independently of what you say of it, upon what day the explosion occurred? A. I do not understand, only from reading it was the 18th, and from hearing the testimony; I do not know.

Q. What is the hour of the issuing of Greer's paper? Is it published in the morning or evening? A. Evening, about four or five o'clock.

Q. Well, as a matter of course, you do not think that the editors of that paper wrote any articles upon the subject of the explosion at Coffeyville before the explosion occurred, do you? A. Hardly.

Q. Then I ask whether you are of the opinion that the issue of that paper upon the 18th made any allusion to the Coffeyville explosion? A. I said I did not know; I am not certain what hour in the day the explosion occurred.

Q. Are you sure no allusion was made to it in the paper until on that day? A. No, sir; I said I do not.

Q. Are you certain there was not on the next day? A. No, sir; I said I was not certain.

Q. Are you certain that there was an article in the *Courier* upon the subject of the explosion before it appeared editorially in the *Telegram*? A. Yes, sir.

Q. Upon what day was allusion first made to it in the *Telegram*? A. I do not know.

Q. When was it that you had a consultation with various parties to agree upon a plan of operation for political purposes? A. A great many days.

Q. When first after the explosion? A. I think it was the same evening of the day when the *Telegram* had first made the report of the explosion, and charged that it was the republican state central committee that was responsible for it.

Q. When was that? A. I do not know.

Q. Was it any time in the month of October? A. Yes, sir.

Q. How long after the explosion? A. A day or two.

Q. How long after allusion had been made to the explosion in the columns of the *Courier*? A. The next morning.

Q. Who was present at the consultation when you agreed upon a plan of operation? A. There was no plan of operation agreed upon; I have not said so.

Q. Who was present that entered into a common understanding upon the subject? A. There were at different times.

Q. Well, first? A. I do not know who first at all; I cannot remember that.

Q. Where was the meeting had of those who did assemble? A. They did not assemble; we had an office, and persons would drop in to see us, as they had done before and afterwards; and at these times, whoever did come would talk about this matter.

Q. Did they come singly, or crowd in in large numbers? A. Singly.

Q. When was it that the Vincents came? A. I think there was one or two of them there on the same evening.

Q. Which one? A. I am not positive; it might be all; they were there every day, as they frequently were, and at these times they talked of the Coffeyville explosion.

Q. When did you talk with Prof. Vincent first, upon the subject of the dynamite explosion? A. I do not know as I once talked with him about it.

Q. When did you talk with Leo. Vincent? A. I don't know the date.

Q. Do you know where it was? A. I do not.

Q. Do you know whether you talked with him at any time? A. I do not know I talked with him at any time.

Q. Do you know that you heard a conversation between him and anybody else? A. Yes, sir.

Q. With whom was he talking? A. I am not positive whether it was Mr. Edwards, or Hotchkiss, or myself; we were working in the office together.

Q. What were they talking about? A. The dynamite explosion.

Q. What did he say about it? A. He said he thought our view of the case was probably correct; that whether it was or not, it was a good thing to use in the campaign.

Q. You remember he said that? A. I remember it in substance; I do not remember the exact language.

Q. Do you remember to whom he said it? A. I do not.

Q. Do you remember when he said it? A. No, sir.

Q. When did you talk with Henry Vincent upon the subject? A. I do not know the date; I probably talked with him several times.

Q. Did you ever talk with him? A. Yes, sir; I think I did.

Q. Where? A. In the *Telegram* office.

Q. How many times? A. I do not know.

Q. Were there any other persons present at the time you talked with him? A. As I said before, I do not know; there might have been at sometimes when we were talking. There frequently were more persons than myself in the office when these conversations took place.

Q. When you sent your dispatches to the various portions of the State, suggesting the complicity on the part of the republican representatives in the dynamite affair, had you consulted with either of the Vincents? A. I did not send any to various portions of the State.

Q. When you sent dispatches to various places, of the character you have stated, had you consulted with either of the Vincents with reference to the Coffeyville disaster? A. I think not, sir.

Q. You had announced, then, the view which you entertained, and the plan of treating the subject? A. No, sir.

Q. Did you express any opinion in the dispatches which you sent? A. I expressed the opinion that it was the opinion of the people, as stated, that the republicans were responsible for it.

Q. Did you write the editorial upon that subject that appeared in the paper? A. I think not.

Q. Did you suggest it to the proprietors of the paper, or they to you? A. I suggested to the proprietors of the paper—to one of them.

Q. Acting upon the view you suggested, the article was written and published in the paper? A. Yes, sir.

Q. You, then, are of the opinion that you individually first suggested the probability that the republican state central committee and the Cowley county republican committee were responsible for that explosion? A. I believe so, though I am willing to be robbed of the honor.

Q. You think you first made the suggestion? A. I do.

Q. You heralded it to various places throughout the country in the *Telegram*? A. Yes, sir.

Q. Are you in the habit of circulating rumors detrimental to the character and reputation of men throughout the state, or at different places, for the purpose of publicity, without any regard to their truthfulness? A. Not except in a campaign.

Q. Well, are you then? A. Well, I have done it.

Q. Do you want yourself understood as a common political liar? A. No—not quite.

Q. You have since that time been in the employ of the Vincents? A. Yes, sir.

Q. You are now in the employ of Ed. Greer? A. Yes, sir.

Q. How long have you been at work for him? A. Almost eleven months.

Q. When did you first make known the fact of your discovery of the complicity of republican representatives in the dynamite affair? A. I do not understand.

Q. When did you first proclaim that you were the discoverer of the alleged complicity of the republican State central committee and the Cowley county central committee in this Coffeyville dynamite affair? A. I think I have done that all the time since October, 1888; it is not a secret where we live.

Q. It is not a secret where you live? A. No, sir.

Q. You say that your plan was to use it purely for political purposes? A. Yes, sir.

Q. The *Telegram* kept the matter fresh before the people during the campaign? A. It did—yes, sir.

Q. As evidence that it was used for political purposes, it stopped discussing the subject when the campaign was over? A. Yes, sir.

Q. You continued to work for some time after that in the *Non-Conformist* office? A. I worked in the *Telegram* office, connected with the *Non-Conformist* office.

Q. The position which the *Non-Conformist* had taken upon that subject was not changed, was it? A. No, sir.

Q. Kept right on from that time until the present? A. Yes, sir.

Q. All the time? A. Yes, sir.

Q. Do you know any party or persons who arranged between themselves to give force to the pretense that the republican representatives were properly chargeable with the blame of furnishing the explosive which did its work at Coffeyville? A. I do not.

Q. Do you know of anybody that agreed to a plan of that kind, except yourself and your employers on the *Telegram*? A. I have not said they agreed upon a plan, except tacitly; it was agreed from the conversation that we had that it was to be the plan during the campaign.

Q. Let me ask you, did you hear, among the citizens of Winfield, any charges that the Vincents were instrumental in causing that explosion? A. Well, I just heard such talk as that; I do not know who said it.

Q. Was it not talked generally among the people of Winfield, and a good deal of excitement upon the subject? A. Yes, sir; for a while.

Q. I ask you whether threats of violence were not indulged in by some persons, A. I heard there were, but I did not hear them made.

Q. Were not these threats made, and public feeling excited before you sent the telegram which you mentioned, or the paper containing an editorial imputing the blame to the republicans? A. I had not heard of it at that time.

By Mr. Senn: Q. When you made your statement that you believed the dynamite explosion was planned by the republican central committee of the state, and the county committee of Cowley county, the parties who heard your statement knew that it was false? A. I do not know. There were some people who really believed it; I did not know myself but that it might be a fact at that time.

Q. But you made that charge without knowing it to be a fact? A. Yes, sir.

Q. You have no reason to believe that the parties to whom you made that statement, but what the parties who heard the statement you made believed you? A. I did not care whether they believed it or not.

Q. Have you been in the habit, in your editorial capacity and otherwise, of making statements that you did not know to be true? A. No, sir.

Q. How did you come to do it then? A. It was not really a falsehood. We made the charge and left it to them to defend themselves, and we did it to allow them to defend themselves for political purposes. I did it for that purpose alone. I did not claim that I could prove it at all; I simply made the charge.

Q. You draw a line between making a statement for political purposes and any other statement? A. We have to.

Q. Why do you have to? A. To keep even with the other fellows.

Q. You felt as though you would be justified in making such a statement, implying as much as it did, without knowing the facts in the case? A. Yes, sir; I did. I was working on a democratic paper.

Q. As a member of this Committee, I would like you to explain in what manner we are to take your statements now that you have made to us as a witness? A. I have made my statements here under oath; I have made my statements true in answer to your questions, and I just simply want you to take it in that way.

Q. It is not done now for political purposes? A. No, sir; not at all.

By Mr. Dawes: Q. What are your politics? A. Democrat.

Q. Still sticking to that? A. That's right.

Q. Who owns the *Telegram* now? A. H. and L. Vincent.

Q. How long have they owned it? A. I think they have owned since June, 1889; I think that is the date; I am not positive.

Q. How long after the first publication in the *Telegram*, charging the republicans with the Coffeyville explosion, was it until the *Non-Conformist* charged them with it? A. It was their next issue of their paper. They run a weekly paper.

Q. You say it appeared in the next issue? A. Yes, sir.

Q. And they took substantially the same ground that had been taken by you? A. Yes, sir.

Q. And they have kept it up ever since, have they not? A. Yes, sir.

Q. On the same line? A. Yes, sir.

Q. It is substantially followed out in what is known as the "Red Book"? A. I do not know. I have never read the Red Book.

Q. It has been followed out, substantially, in the *Non-Conformist* ever since? A. Yes, sir.

By Senator Kimball: Q. As you understand it, Mr. Henthorne, the way political campaigns are conducted nowadays, it has come to be a common practice for the organs of one political party to distort the truth, and even to make statements that are not true, for the purpose of downing the other party in the campaign, has it not? A. Yes, sir.

Q. And because the editor of a party newspaper or an employe upon such paper resorts to these means during a campaign, you do not think he thereby forfeits his right to be believed when he testifies in court, under oath? A. I most assuredly do not.

By Judge Webb: Q. Mr. Henthorne, do you know whether in the columns of the *Courier*, published immediately after the Coffeyville explosion was known at Winfield, the furnishing of the explosive was charged upon the Vincents? A. I am not positive about that, but it is my recollection that it was.

Q. That it was charged upon them in connection with the union labor party? A. I believe it was; I won't be certain about these publications.

Q. There had been what is known as the *Vidette* exposure before that time, had there not? A. Yes, sir.

Q. Having mentioned that fact I call your attention again to the issue of the *Courier* and ask you whether it did not charge directly that the union labor party and the Vincents and the *Videttes* were responsible for that Coffeyville explosion? A. My recollection is that the *Videttes* and the Vincents in connection were charged with it by the *Courier*.

By Senator Kimball: Q. Were these charges that were made in the columns of the *Courier* against the *Videttes* and the union labor party and the Vincents as being responsible for that explosion — were they continued after the campaign, or did the matter drop with the political campaign so far as that paper was concerned? A. Dropped, so far as that paper was concerned, after the campaign closed.

Q. But so far as the *Non-Conformist* was concerned, I understood you to say it has continued to reiterate these charges against the republican party and prominent republicans down to the present time? A. Yes, sir.

The witness was excused.

Dr. THOMAS RUDE, being duly sworn, testified as follows:

Examined by Mr. Dawes: Q. State your name, Doctor. A. T. J. Rude.

Q. Where do you reside? A. I reside at Burden, Cowley county.

Q. How long have you lived there? A. I have lived in that vicinity for the last 19 years.

Q. What is your business? A. I am a doctor; I practice medicine.

Q. You lived in Cowley county in 1888, did you? A. Yes, sir; that was my home.

Q. Where were you during the months of September, October and November, of that year? A. I was in Cowley county until the latter part of September. I left Cowley county the 20th day of September, and went to Chicago.

Q. The 20th day of September? A. Yes, sir.

Q. In 1888? A. Yes, sir.

Q. How long did you remain in Chicago? A. I think I arrived home for Christmas vacation about the 22d or 23d of December, 1888.

Q. Now, from the 20th of September until the time in December in which you say you returned home, had you been in Cowley county? A. No, sir, I had not.

Q. Had you been in Chicago all that time? A. I had.

Q. What was you doing in Chicago? A. I was attending medical lectures.

Q. At the medical college in Chicago? A. Yes, sir.

Q. Then I would ask you if, after the 20th of September, you took any part in or knew anything about the management of the political campaign in Kansas? A. I took no part in it whatever, and knew nothing more about it than I gained by reading the *Weekly Courier*.

Q. Did you take any part advising and counseling as to the management of the campaign in Cowley during that time? A. No, sir, not after I left in September.

Q. Where were you on the 18th day of October in that year? A. Well, sir, I was in Chicago at the time; I do not remember; I have nothing that will call my memory to that day in particular, but I know I was there.

Q. When did you first hear of the Coffeyville explosion? A. If my memory serves me, it must have been the evening of the 19th or 20th of October; somebody handed me a paper at the supper table, one of the Chicago daily papers, and made this remark: he says, "You have anarchists down in your country as well as in Chicago;" and I then read an account in the press dispatches that was in one of the dailies.

Q. Prior to your going away, had you taken any part in the political campaign of that year? A. Locally I had taken some part—yes, sir.

Q. Had you visited the Cowley county central committee's rooms and advised with them? A. No, sir; I had not, to the best of my knowledge. The committee had not yet selected rooms.

Q. Had the republicans held their convention in that county at that time? A. Yes, sir; they had.

Q. Now, before you left, had you heard any talk of any kind, by any member of the republican party, or any other party, or by Ed. Greer, or any other person, concerning the manufacture and shipment for explosion of any bomb of any kind? A. I never had.

Q. Prior to your going away, had you learned or heard anything about the National Order of Videttes? A. No, sir; I had not.

Q. When did you learn of that? A. I first learned of that through a copy of the *Weekly Courier* that I received at Chicago; and was absolutely unable to comprehend what it meant, or what the object or idea of it was at that time, until the matter ran on further, and I saw it was mixed up in politics.

Q. You may state to the Committee what you know about the Coffeyville explosion, and what caused it. A. I know nothing about it further than what I have heard testified to before this Committee, and have read in the papers.

Q. Did you have any personal knowledge as to who was responsible for that explosion? A. No, sir; I had not.

Q. Have you now? A. I have not.

Q. Did you ever hear anyone say anything who pretended to know anything about it? A. Yes, sir; I heard a great many people say they knew.

Q. Who was it? A. Well, they were mostly members of the people's party in our county last fall; most of those fellows said so—a great many of them, at least.

Q. Did you ever have any conversation with any person who claimed that they had any part in causing that explosion? A. I never did.

Q. Do you know Ed. Greer? A. Yes, sir.

Q. How long have you known him? A. I have known Ed. Greer since the summer of 1887.

Q. Have you now, or did you ever have, any knowledge or reason to believe that Ed. Greer had anything to do with that explosion? A. I never did.

Q. Have you talked frequently with Mr. Greer upon that subject? A. I cannot say I have frequently; I talked with him once or twice about that subject in particular.

Q. You heard the testimony of one Ben. H. Clover, did you? A. Yes, sir; I did.

Q. You heard his statement concerning the conversation he had with you on his farm the day before the political barbecue? A. Yes, sir; I heard that statement.

Q. Now I want you to state in your own language fully as to what conversation you had with Mr. Clover at that time, if any; how you happened to enter into the conversation, and what was said. A. Well, sir, it is a very hard matter to recall a conversation that took place that long ago, minutely; but I think I can give the substance of what was said. I went to Mr. Clover's grove to attend a picnic the evening before, in company with Mr. John Ledley. We arrived there about half-past eight o'clock in the evening, tied our horses and went up to where they had a fire, where there was some speaking going on, and there we met Mr. Clover. I asked him if he was acquainted with my friend Ledley, and he said not, personally, although he had known of Mr. Ledley; and I introduced him to Mr. Ledley, and Mr. Clover made some inquiries about our team, and if we were going to stay all night. I said that was the calculation, and he asked us if we had a tent. He said: "We will go and see to your team, and find you a tent." We went out into the edge of the timber where we had tied our horses, and Mr. Clover showed us where to put them. And while Mr. Ledley and I were unhitching, Mr. Clover walked off a piece; I supposed to see about the tent, and I finally started up toward the fire and met him, and we shook hands for the second time—always being very friendly—and stepped out to one side and began to talk politics—just the general situation of politics. I was congratulating Ben in a jocular way, and he was congratulating me. After discussing the general situation we began to talk about some of our tricks. That came up in a joke. I wanted to know of Ben if they allowed the same tricks in the people's party that he used to play in the republican party, and he laughed and said he had entered the people's party for the cause of reform; and he said, "We do not want you until you have reformed." I told him "all right," and as we were talking about some of our old times together, he spoke about the *Courier* scheme. He wanted to know if I did not think the *Courier* scheme was a fraud, or something to that effect. As near as I can remember, I told him I thought it was; and he wanted to know if I didn't think it cut a big figure in the campaign. I told him yes, I believed that was one of the features that divided the union labor party in that county, and probably in other portions of the state, in 1888; and he said, "You think, then, that the whole matter was a concocted scheme of Ed. Greer's and the other fellows, just simply for political purposes?" I told him candidly that had always been my impression of the matter. About this time Mr. Ledley came up. He had been standing off probably sixty or seventy feet from where we were, and down

where the horses were tied, and he came up and we at once changed the conversation. Mr. Ledley said, "We better see about getting the tent before you fellows begin to talk politics." Mr. Clover took us up to the fire and pointed out a short distance to the left, and said, "You gentlemen occupy that tent there, and you better go and capture it now." We got our blankets and took our harness and camped there for the night. We left the tent. At the time that this conversation was taking place, I am satisfied that a gentleman from Arkansas City, named Fryberger, was making a speech. I asked Mr. Clover who that fellow was that was trying to make a speech, and he said it was Fryberger, from Arkansas City. By the time we got our blankets and things up to the tent Fryberger had gotten through speaking, and an old gentleman from Independence, I am not certain but his name was Campbell, commenced speaking. I told Mr. Ledley I would like to hear that man talk, and we walked up to where we could listen to the speech; and there I met Mr. Clover and Mr. Fryberger, and Mr. Clover then and there gave me an introduction to Mr. Fryberger, the first time I had ever met the gentleman and had an introduction to him. I did not see Mr. Clover but once after that upon that evening; that was just before Mr. Clover took the speakers and started to the house.

Q. And while Mr. Fryberger was present did you have any talk about the Coffeyville explosion? A. None whatever, or about any other matter, further than just passing the compliments.

Q. Go on with your statement. A. Mr. Clover said just before they started to the house, "Gentlemen, enjoy yourselves here to-night the best you can, and I will see you again to-morrow." He said to me, "I would like to have a short conversation with you privately, if we have an opportunity to-morrow." That was the end of the conversation for that night.

Q. Did you have a conversation with Mr. Clover the next day? A. I think we had a very short conversation a very few minutes the next day. I met Mr. Clover several times the next day, but there were so many people there, and Mr. Clover was kept quite busy trying to entertain his guests, and a great many people wanted to see him and talk with him; consequently we did not have but a very few minutes conversation.

Q. Did you talk about the *Courier* scheme or the Coffeyville explosion the next day? A. We did not.

Q. Did you at any time after that? A. No, sir.

Q. On the evening on which you had the conversation which you have detailed, was there anything said about the Coffeyville explosion? A. None that I can possibly remember directly. I do not think the subject was mentioned as the Coffeyville explosion.

Q. Was there anything said in that conversation about who was responsible for the Coffeyville explosion? A. Not directly.

Q. Was there indirectly? A. Well, now, in order to do justice to Mr. Clover, I might say this: I can see very readily that Mr. Clover might have been inferring the Coffeyville explosion with the Vidette expose, at the time we were talking, and if he was, indirectly we were talking about it.

Q. But when you were talking about the *Courier* scheme, what did you mean? A. Well, sir, I meant the Vidette expose.

Q. Did you have any reference, in any way, shape or manner, to the Coffeyville explosion? A. No, sir; I did not. I will say this though, that I was rather expecting Mr. Clover to mention that matter, and was on the look-out for it; I had it in my mind at the time.

Q. Was there anything said about it by Mr. Clover or by you? A. If there was, it was very unsatisfactory to me. It was not what I would consider talking about

it. I did not consider at that time, that the statements in reference to that, or any fact the fuller conversation might have brought out, that Clover was implying the explosion.

Q. Now, did you have any conversation with Tom. Clover at Mr. Cox's house? A. Yes, sir; I did.

Q. When did you have that conversation? A. That was the morning of the 19th of September, 1890.

Q. Now state fully that conversation. A. Well, sir, that is practically impossible.

Q. State the substance of it. A. We talked about a great many different subjects.

Q. State everything that was said, if anything, concerning the Coffeyville explosion. A. Well, sir, as near as my memory serves me, the first thing that was said about the Coffeyville explosion came up in a conversation in reference to politics. Mr. Clover made a statement to this effect—we were talking personally to each other—nobody else interested in the conversation—and he said: “I guess the republicans got scared about Upham, didn't they, and run him out of the country?” I said, “No, I did not think they did. I do not understand that republicans run men out of the country, if they did want them out. If the republicans are instrumental in his leaving the country, they sent him.” And he said, “How much do you reckon they paid him?” I said, “I do not know anything about it; but, if what you fellows,” meaning the people's party, “seem to think is true, he did not go away empty-handed.” Now I will state right here, that at that time I did not know that Upham was out of the state until Clover mentioned the fact and brought it to my mind. That is the first that we said directly in reference to the Coffeyville explosion.

Q. Go on and state what other conversation you had with him on the subject. A. Well, after talking a few minutes, Mr. Clover came back to the Coffeyville dynamite affair again, and he asked me if I didn't believe that they, meaning the republican party, didn't intend to ship that bomb to Winfield and blow up the Vincents' office? I made no reply at that time; I saw that Mr. Clover was going to see if he could get some information from me, and I began to study to see what would be best to do under the circumstances, from a political standpoint, purely. Dr. Musgrove got up from the bed he was sitting upon, and came and sat down by us and said, “I do not believe that bomb was ever intended to blow up the Vincents with;” and as near as I can remember, the theory he gave was something like this —

Q. Mr. Clover? A. Dr. Musgrove; that some fellows who were either cranks, or fellows not connected with any political party in particular, must have been doing that for some purpose we did not understand; probably to make a sensation and to make some money out of it; and Mr. Clover then referred to me and said he would like to know what I thought about that. I said something about like this: “I do not think either one of you gentlemen are right. I believe that bomb was to be shipped to Winfield and placed in the *Courier* office, and there to be exploded for two purposes; first, it would prove beyond a shadow of a doubt that the Videttes were anarchists; second, under the excitement incident to such an affair a mob would be liable to go down and destroy the Vincent office, or at least these men would have been put under arrest and the issue of their paper stopped until after the campaign was over.” That is the substance of what I told Mr. Clover.

Q. Had you any reason, evidence or data upon which you could found such a belief? A. I had no evidence, no data, and absolutely no knowledge of facts upon which to base that opinion; and I will further state that that opinion was purely and absolutely imaginary upon my own part, and said for political purposes at that time.

Q. Had you had a conversation with the Vincents, or either of them, similar with the one with the Clovers? A. I had a conversation with Mr. Henry Vincent.

Q. In which you advanced about the same idea? A. In which I advanced about the same idea.

Q. And you say it was purely for political purposes? A. Purely for political purposes.

Q. Was there anything in either of these conversations about there being two bombs sent? A. Well, sir, I did not think there was. I do not know that that was my intention, but from what I said you could easily infer that two bombs would be sent, or at least might be, for this reason: I know the idea I had in my head was that they would search the Vincents' office for the bomb or dynamite.

Q. That was at the conversation you had at Ben Clover's farm? A. No, sir. At Ben Clover's farm the word dynamite was never used, nor to the best of my memory the word explosion, or anything directly pertaining to the Coffeyville affair.

Q. Now, Doctor, you have already stated that this conversation was for political effect? A. Yes, sir.

Q. I want you to state to the Committee then, why you made these statements, and the object and purpose of making them. A. Well, really, the object of making these statements was simply this: There had been quite a newspaper fight going on between the *Courier* and the *Non-Conformist* in reference to the Coffeyville explosion. In the first place, I thought the *Courier* was radically wrong in accusing the Vincents of this matter, as I understood it to be an accusation, without any knowledge of the facts pertaining to it, and talked to Mr. Greer once about that matter. And I also thought it was wrong, but nothing more than natural, for the Vincents through their paper, the *Non-Conformist*, to attack Mr. Greer in a similar manner. Probably I should have done the same myself under like circumstances, but they were at that time, the latter part of September, 1890, on the verge of a campaign, and to my astonishment, absolute astonishment, some as good, reliable and responsible men as we had in Cowley county, who had always been republicans whom I knew and believed to be honest in their convictions, were stating as one of their reasons for quitting the republican party and joining the people's movement, that it was on account of this dynamite outrage; that the republicans were responsible for it; and as nearly as I could find out by close observation, inquiry and research at that time, it was one of the principal features in the campaign, in our part of the county, at least. While, of course, I did not think the Vincents knew anything about it, nor I did not think Ed. Greer knew anything about it, I thought they were both wrong. I was confronted every few days by some of these honest men who gave me quotations from Mrs. Lease's speech, wherein she had stated that they knew and had the evidence that Hutchins, Greer, Booth and Governor Humphrey were responsible for that explosion. And I said, "She don't know anything about it." Thereafter, as near as I could learn, the theory was, and these men who would talk that, said that the bomb was to be shipped to Winfield to destroy the Vincent's office. Now, I conceived this idea, that if I would furnish these gentlemen a new theory, and put it right at headquarters, and they would accept that theory, that was evidence to my mind that they simply knew nothing about that affair, and their statements were false; and this was my reason. My principal reason for going to Clover's grove was to hear Mrs. Lease speak the next day, and see if she had accepted any part of my theory, and I found out she had. She there said the bomb was to be exploded in Greer's office; that during the excitement the mob was to rush down to the Vincent's office, and hang the Vincent brothers, or words to that effect. I had there and then accomplished a purpose that I had intended, by my part of the yarn, and withdrew from the field with reference to that particular line of politics, meaning the Coffeyville explosion.

Q. Now you may state to the committee whether there was any agreement or understanding between you and Mr. Greer as to any statements that you might make concerning that matter? A. Not personally between Greer and I, there was not; but there was an understanding existing with Mr. Greer as arranged by a third party.

Q. Who was the third party? A. Mr. Sam Fall.

Q. Was he a candidate for any office? A. For representative.

Q. On what ticket? A. On the republican ticket.

Q. You may state what that understanding was. A. Well, Mr. Fall came to my house one day and asked an explanation of my conduct. He said, "I depended upon you to help me out in this campaign." I told him I had no notion of forsaking him. He said, "The boys are all getting scared. They believe you have gone back on the whole business, and you won't give them any satisfaction, and I want to know what you mean." I told him my intention was to elect him if possible, and that there were two or three things to do with reference to working with any certainty; and that I proposed to do them before I began my part of the campaign; that there were several scoundrels that always pretended to be republicans who had been carrying information into the other camp continuously, and I wanted to find out who these fellows were, was one thing I wanted to know. Another thing: I wanted to get a little advantage in reference to some other matters that I did not wish to explain to him or anybody else, and if anybody else asked him any questions to tell them that it was none of their business, other than Ed. Greer, and to tell Ed. that anything that he might hear that I said about him personally was simply using his name for political purposes, and a man would have to tell a great deal about him to get outside of the truth; that I would not hit him any harder than I would have to.

Q. You were perfectly friendly? A. Yes, sir; Mr. Fall afterwards came to me and told me that he had had a talk with Mr. Greer, and that Ed. said it was all right; if abusing him, would do Sam. Fall any good, to go in.

Q. You went in? A. Yes, sir; to some extent.

Q. Then these stories you told about Ed. Greer, I understand you, was a part of a plan to abuse Ed. Greer a little, to get on the good side of some votes you wanted for your candidate for representative, was it not? A. No, sir; that is not my understanding.

Q. State your plan. A. I did not know the votes that could be gotten by abusing Ed. Greer.

Q. Was the sole object, as you have heretofore stated, to get the parties charging it on the republican central committee, to change their theory as to that? A. Yes, sir.

Q. That was your sole object, then? A. Yes, sir. Now let me clear this matter up a little.

Q. Go ahead. A. Now, in the first place, these people's party men were the hardest fellows to talk politics to you ever saw in your life during the last campaign; and there was no other way by which you could get those fellows to talk politics, and find out what they were counting on, unless you abused Ed. Greer; and they would then open up their hearts as long as you would give it to Ed. occasionally.

Q. Now the first party, if I understand you, that you talked to in the manner you have indicated was Mr. Vincent himself? A. That is correct.

Q. About when did that conversation take place? A. I cannot tell just when that did take place. It was a very few days before I met Mr. Clover; because I know in my conversation with Mr. Clover I told him about having been over to Winfield and having a row with Ed. Greer, when the fact is, I had not seen Ed. Greer at all upon that occasion. And when Mr. Clover began to talk about the Vidette busi-

ness and the dynamite explosion, I began to watch his conversation carefully, to see if he had had a conversation with Mr. Vincent since I had.

Q. Which one of the Clovers do you refer to? A. Thomas Clover.

Q. Then Thomas Clover was the next one that you conversed with upon that subject? A. Yes, sir.

Q. And then Ben. Clover? A. Yes, sir.

Q. You heard some of the testimony introduced here in regard to Mr. Greer demanding from you \$150 to support you for county superintendent? A. No, sir; I did not hear that testimony; I read it.

Q. I desire to ask you whether Mr. Greer made any such demand of you, and what there is to that story? A. He never did, directly. There is enough to that story to found a story upon. When I was a candidate for county superintendent some eight or ten years ago, there was quite a fight in the county. I was then young in politics, and was depending upon my friend Ed., to some extent, to help me out. I was at that time a school teacher. There were about six other school teachers in the race, and they all seemed to have a desire to say a good deal in the paper. Mr. Greer used the columns of his paper to quite an extent in my behalf, and it looked as though I was going to pull through all right, and I had a talk with Ed. Greer one night, and I asked him, "About how much is this going to cost me, provided I pull through?" "Well," he said, "this has been a long, hard fight, and I think you ought to pay the *Courier* \$75 for what work it has done for you before this nomination, and if you are elected I think you ought to pay the *Courier* about \$75 after the election." I told Ed., under the circumstances, I thought that was cheap enough; that I did not ask him to use his paper, and his energies, and his ink, for me for nothing, and if I was successful I would meet this demand. But I was not successful.

Q. Did you ever have a row about it with Mr. Greer? A. Not that I know of.

Q. At that time Ed. Greer did not own any interest in the *Courier*, did he? A. I do not know that he did.

Q. He was simply the business manager at that time, was he not? A. I do not know what his connection was with the *Courier* at that time. I know he was connected with the *Courier* with Mr. Millington; and I remember of him having told me when he bought a half-interest in the first place; but I do not know whether it was before that time or after.

The Committee adjourned to meet at 2 o'clock P. M.

THURSDAY, March 26—2 o'clock P. M.

Committee convened pursuant to adjournment. A quorum present.

T. J. RUDÉ further testified as follows:

Examined by Mr. Henderson: Q. You did have a conversation with Mr. Ben. Clover, at his grove, the evening before the picnic held on his place? A. Yes, sir.

Q. You was introduced to Mr. Fryberger that evening? A. Yes, sir.

Q. You did have a conversation with Thomas Clover on the 19th of September, 1890, you say? A. Yes, sir.

Q. Dr. Musgrove was present at that conversation? A. Yes, sir; he was in the room during the conversation. He did not take part in all of the conversation.

Q. Did you say in the presence of these gentlemen that you had a cinch on Ed. Greer? A. Not that I remember of; I do not remember of using that language.

Q. Do you say to the Committee that you did not use that language? A. That is the best of my judgment—that I did not use that language.

Q. You say that in that conversation something was said about your being a candidate for county superintendent at one time? A. Yes, sir.

Q. There was something said about compensation to Mr. Greer? A. Something said about that—yes, sir.

Q. Was the picnic upon Clover's farm before, or after your conversation with Thomas Clover, Dr. Musgrove, and others? A. It was after.

Q. Do you remember the day of the month of the picnic? A. I do not; sometime in the latter part of September. It could not have been over six or eight days after that time, I should judge.

Q. You went there the night before the picnic? A. Yes, sir.

Q. You stayed all night on Mr. Clover's farm? A. Yes, sir.

Q. You slept in a tent there? A. Well, no; we did not sleep there in the tent.

Q. You was there the next day? A. Yes, sir.

Q. Who spoke first on the day of the picnic? A. I do not know.

Q. Who spoke second? A. I do not know.

Q. How many speeches were delivered? A. I have no idea.

Q. How many speeches did you hear? A. I heard a portion of two speeches.

Q. Whose were they? A. One was Mrs. Lease, and my best judgment is that the other was by this man Campbell that had made a few remarks the night before.

Q. Who spoke first on the day of the picnic, Mrs. Lease or Mr. Campbell? A. It runs in my mind that Campbell spoke first, but I would not be positive. At least the gentleman I have in my mind spoke first. I listened to a portion of his speech.

Q. What time did you leave the picnic grounds? A. I left the picnic ground about 6 o'clock, or half-past 6 o'clock, in the afternoon.

Q. Was speaking going on at the time you left? I do not know; there was quite a crowd there.

Q. Did Mrs. Lease speak before or after dinner? A. My judgment is she spoke after dinner, but I would not be positive.

Q. What time after dinner? A. I do not remember.

Q. Have you no distinct recollection? A. I have no distinct recollection at what time she did speak.

Q. Did you hear her entire speech? A. I did not. I heard but very little of it.

Q. Did you hear her when she first commenced speaking? A. No, sir; at a distance.

Q. Was you present at the time she was introduced as a speaker? A. I was not.

Q. How near were you to the stand from where the speakers spoke to their audience? A. When I heard a portion of her speech?

Q. Yes, sir. A. I was probably forty feet. I had to stand up during the time. I was standing up on the end of a seat, where I could hold to a small sapling. I had to stand there to hear the speaker. It was a very uncomfortable position, and I do not think I listened to the speech over fifteen or twenty minutes.

Q. Do you remember the substance of that which she said during the fifteen or twenty minutes that you heard her? A. A portion of it.

Q. What do you remember? A. I remember when I went up there she was speaking about J. J. Ingalls. When I went up where I could hear, and get a full sense of what she said, she was then addressing her remarks particularly to Mr. Ingalls.

Q. What was it said about the dynamiters and the Coffeyville explosion? Repeat that again, please. A. As near as I can remember, she did not say very much about that matter, but she spoke about it in her speech. The portion of the speech that I heard, as one of the outrages of the republican party, and an outrage of which they were responsible, and said this: "We now have it from good republican

authority," and I presumed at the time she meant myself, "that that dynamite bomb was to be shipped to Winfield, exploded in the *Courier* office, and during the excitement the mob was to rush down to the Vincents and hang the Vincent Brothers then and there." Then paying quite a tribute to the Vincent Brothers, as being honest young men, etc.

Q. Now, Doctor, don't you know that Mrs. Lease made no such statement or declaration in the speech that she delivered at the grove upon Mr. Clover's farm, upon the day you have mentioned? A. I know that she did, and used that language.

Q. Don't you know that she did not arrive at the grove until 4 o'clock? A. No, I was not aware of that fact.

Q. Are you not aware of the fact she was driven from Cambridge in a carriage to the grove a little after four o'clock? A. I was not aware of the fact.

Q. And was not your attention called to the fact that "Mrs. Lease has come at last"? A. It might possibly have been; I do not remember.

Q. Is it not a fact that all she said in that speech, which was pertaining to the Coffeyville matter, was simply a reference to the explosion, without a statement of any details whatsoever? A. I do not think she mentioned many details in reference to the matter. Now my best judgment in the matter is this: it is of course a matter of memory my recalling it, and it might be an error, but I think she spoke of this matter directly after referring to Ingalls, and saying he advised the republican party to hire Hessians, and to kill and murder, if necessary, to gain their point; and after that, if my memory serves me—and after making that remark—she referred to the dynamite outrage, and that one of the objects of that was to murder the Vincent brothers.

Q. You are satisfied about that? A. I am reasonably well satisfied about it; it might not have been used in that connection; these statements were both made and my best judgment is that they were made in that connection.

Q. Do you pretend to say to this Committee that the statements that you made in your examination in chief are absolutely true, do you? A. I will say to this Committee this, that as far as it is in my power to recall the substance of that matter, it is absolutely true.

Q. Is your memory ordinarily deficient? A. My memory is pretty good.

Q. Did Mrs. Lease make these statements with which you have credited her today, at the time and place you have mentioned? You certainly remembered at the time, did you not, distinctly? A. I do not catch the drift or the full meaning.

Q. If Mrs. Lease made the declaration with which you have charged her this morning in your testimony, you would not do so, unless such statements were at the time deeply impressed upon your mind? A. No, sir, I would not.

Q. Then the statements you gave this morning were absolutely true, were they? A. They were absolutely true except this: I might not recite her exact language, but the import, the idea conveyed to me, is expressed in the language as I gave it to you.

Q. I am not asking for the idea as conveyed to you; I am insisting that you should state the exact language, as near as you can remember, used by Mrs. Lease. A. I have done that; and I insist there may be an error in that language. I do not pretend to give that language *verbatim*.

Q. Do you remember to whom you first told the declarations of Mrs. Lease after her speech? A. No, sir; I do not.

Q. Do you remember at any time of having a conversation with any person in relation to the subject-matter of her speech so far as it relates to the Coffeyville dynamite explosion? A. I have had conversations at different times and with different persons about the speech of Mrs. Lease, what part I heard of it. Asked them their opinion of it, and what they thought of it.

Q. Do you remember of having a conversation with Henry Vincent after her speech, as to the statements made by her? A. I do not; no, sir.

Q. You said this morning, I believe, Doctor, that you had a conversation with Henry Vincent prior to the picnic? A. Yes, sir; that is my best recollection.

Q. Do you remember what day of the week it was you had the conversation with Mr. Vincent? A. Well, I could not state positively. My best recollection is that it was on Saturday.

Q. Where? A. At Winfield.

Q. Now, was it not on the Saturday following the day of the picnic at Mr. Clover's? A. That is not my memory of the event. That is not the way I have it in my mind.

Q. I will ask you if it is not a fact that it was that Saturday? A. I will answer that yes, or no, for the simple reason that it might have been that Saturday, and it might not have been.

Q. You say it might have been the Saturday following? A. It might have been the following Saturday, but my recollection is that it was not.

Q. Is there anything particular in your mind at this time that would cause you to state to this Committee that that conversation took place prior to the time of the picnic? A. Yes, sir.

Q. What is that? A. I will tell you the one thing is this: when I was talking to Mr. Vincent upon that occasion, I spoke to him about the bomb being exploded in the *Courier* office. Now, sir, it occurs to me, as a fact of memory, that Mr. Vincent said this: "That is reasonable; that must have been Greer's reason for having his insurance increased, or being reinsured." Now, I say I have that in my mind as a matter of memory, and one of the reasons now that I do bring it up in this shape is, when I made this statement to Tom. Clover, after Doctor Musgrove had given his opinion, and Mr. Tom. Clover had given his opinion, Doctor Musgrove thought that that was a silly idea — that Greer would blow up his own building; and then I spoke about Greer having reinsured, or raised his insurance, a fact that I had no knowledge of, and knew nothing of, only as I had gained it from some one else. I used this argument in order to make this same point to Tom. Clover; but now, sir, in thinking the matter over, it occurs to me that I got the idea from Henry Vincent, and gave the idea to Mr. Clover. And now I say that this is simply a matter of memory, and is rather vague in my mind, but it occurs in recalling these things about in that way.

Q. Doctor, when in Chicago, you were taking the *Courier*, were you not? A. Yes, sir; I was.

Q. I will ask you to state if you don't remember of seeing an editorial in his paper copied from the daily of October 4th, in which he said he had that day increased the insurance on his building? A. No, sir; I have no recollection of that.

Q. You have no recollection of that? A. No, sir.

Q. Do you remember whether or not, in any conversation you had after you returned to Cowley county, your attention was called specially to that editorial? A. Not that I know of.

Q. Do you remember where you were when you had the conversation with Mr. Vincent? A. Yes, sir.

Q. Where? A. We were at the corner on — the northwest corner of Ninth avenue and, I think, Millington street, at the Fuller block; I think it is Millington street. I stepped off of Ninth avenue, and walked north a few blocks, and was standing on Millington street just east, or near the east walls of the Fuller building.

Q. Do you remember who commenced the conversation? A. Why, no; I do not; I remember of meeting Mr. Vincent there, and we shook hands and spoke.

Q. Do you remember the subject-matter of the conversation? A. Why, I do not remember much about the conversation, any further than the general political outlook of the county, excepting the dynamite part of it.

Q. Was there anything said in that conversation about the postmaster of Winfield? A. There may have been.

Q. Do you remember of telling him, that in a conversation you had with Ed. Greer, in which he had said to you, that if he should be appointed postmaster, and Captain Siverd should be defeated for sheriff of Cowley county, that he would resign as postmaster in favor of Captain Siverd, or words to that effect? A. I remember that we spoke of that.

Q. That was talked of in that conversation? A. Yes, sir.

Q. Please state to the Committee what was said by you. A. You have just about said what was said.

Q. State it in your own way. A. In talking about the general run of politics and the situation and the candidates—I do not know just how the subject of the post office did come up, but I presume Mr. Vincent questioned me something in reference to it.

Q. State what was said, as near as you can. A. I remember giving him a statement something similar to that—that Greer, when he was appointed postmaster, told me if Siverd was defeated for sheriff he would resign in twelve months and assist in securing Siverd the appointment to fill the unexpired term.

Q. Did you also in that conversation state to Mr. Vincent that you had, prior to that day, held a conversation with Mr. Greer, in which he refused to surrender the office to Captain Siverd? A. Yes, sir.

Q. You also talked over the matter of Captain Siverd's defeat, did you not? A. Not that I remember.

Q. I mean the fact. A. Yes, that was spoken of.

Q. And that Mr. Greer refused, notwithstanding his promise to surrender the office in favor of Captain Siverd? A. Yes, sir.

Q. And you so stated to Henry Vincent in that conversation? A. I think I did.

Q. I will ask you to state to the Committee if that was a fact? A. It is a fact.

Q. I will ask you to state to the Committee if after the defeat of Captain Siverd for sheriff you requested of Mr. Greer to comply with his promise to you in favor of Captain Siverd? A. I never did. I talked with Mr. Greer about the matter. You see this promise was made a year before, and a few weeks after the election I saw Mr. Greer and asked him if he thought he would be in shape to let Siverd have the postoffice, and he said he would not.

Q. You were absent from Cowley county during the campaign of 1888? A. Yes, sir, I was absent during that campaign.

Q. Do you remember who constituted the republican county central committee of that year? A. I remember some of them; I do not remember all of them.

Q. Name all of those whom you now remember. A. Well, I can remember of Mr. Burkhalter, Mr. Cooper, and Mr. Bob Frey, from Winfield; I remember Mr. Eckhart, from Arkansas City; I believe that is the only one I remember from down there.

Q. Do you remember any person from Burden? A. A Mr. Crawford, from Burden, and Ed. Smith, from Harvey, and Bob Strother and Mr. Sherman, from Windsor township, and I believe J. D. Maurer, from Dexter township.

Q. Well, after you returned from Chicago did you have any conversation with any members of the republican county central committee with reference to the so-called expose of the Videttes, the Coffeyville dynamite explosion, and George W. Poorman, or either subject or person that I have mentioned? A. Yes, sir; I talked with several of the committeemen about the expose and the explosion.

Q. With whom did you hold that conversation? A. I first talked with Mr. Crawford, of our town of Burden.

Q. When was that with reference to your return from Chicago to Cowley county? A. Some two or three days after I returned.

Q. Was George W. Poorman named in that conversation? A. Yes, sir.

Q. Was there anything said in that conversation, as to what sum or sums of money George W. Poorman had cost the republican central committee, of Cowley county? A. Yes, sir; I think there was.

Q. You may state to the Committee what that was? A. I asked Mr. Crawford about this Vidette expose, and dynamite explosion; told him I had been gone, and I would like to get some insight into that business, and he seemed to think it was a fraud and a farce—the whole business. I told him there was certainly an explosion over there; “Yes,” he said, “there was an explosion over there.” I told him I would like to have one question cleared up; “I have understood that you fellows have been charged with sending Poorman out of the country, and I want to know why Poorman was sent out of the country?” Crawford said that was just what he would like to know; he said he was ashamed of the whole business. I asked him, “What did that cost?” he said, “I do not know; I think the first time Poorman got \$20, but I understand he lost the order, and it was found and published.” Then he says, “I understand that Cooper afterward gave him \$20 more; that is about all I know about it”; he says, “You had better talk with Cooper about it.”

Q. Was that substantially all the conversation? A. That is substantially all that conversation.

Q. Did you afterwards have any conversation with Mr. Cooper? A. I did.

Q. Was it in relation to that subject-matter? A. It was; I asked him directly about it.

Q. State to the Committee what he said. A. Mr. Cooper denied the money part of the business, and I forget just what he said about that, but I insisted and wanted to know why they sent Poorman out of the country. He said, “Those infernal scoundrels would have murdered him had he stayed. We had to guard him to the train.”

Q. Did he tell you who guarded him to the train? A. He did—yes, sir.

Q. State to the Committee. A. I do not know that I can, but it runs in my memory that Bob Frey and himself took him to the hotel to supper and saw him off on the train.

Q. Did he tell you to whom he referred when he said those scoundrels would murder him? A. Well, the Videttes.

Q. Were there any particular names mentioned? A. I do not think there was, any further than the anarchist outfit, that damned dynamiter crowd; I do not know, he might possibly have mentioned the Vincent outfit, but I will not say positively that he did.

Q. When was it that you had this conversation with Mr. Cooper—during the holidays, was it not? A. Possibly; I think it was—it seems to me that it was. It might have been in the spring, but I think it was during the holidays.

Q. It was after the election? A. Yes, sir.

Q. The Vincents were charged as dynamiters and anarchists? A. Yes, sir, that was my understanding.

By Mr. Curtis: Q. What paper did you take while in Chicago—the daily, or weekly *Courier*? A. The weekly *Courier*.

Q. Did you take the daily during any part of the time? A. I did not. I think I received one copy of the daily, probably about the time of the election, when returns were being sent in.

Q. Did not Mr. Greer appoint Captain Siverd's daughter to a position in the postoffice? A. Yes, sir, he did. I desire to explain that postoffice matter further.

Q. Go ahead. A. When I came home from Chicago during the holidays I found there was quite a postoffice fight going on there at Winfield; in fact, that was the principal matter that brought me home during the vacation, and I found that there was a little division among my political friends in reference to that matter. Mr. Greer, who was a candidate for the office, was a political friend and associate of mine, and Captain Siverd, who was also a candidate for the office, was another political associate of mine and a very personal and intimate friend of mine. Now there were several other candidates aspiring. Mr. Henderson was assisting Siverd to get the office, if he could, with the object of defeating Greer, and I was called upon there to decide between two friends, and I looked over the field pretty carefully. There was no trouble between Ed. Greer and I, and I decided upon this point that Ed. Greer ought to have that postoffice, for the simple reason that he had a paper there that he had built up and made, which represented his life's effort, and Ed. was badly in debt and needed some help, and our enemies hated Ed. worse than anybody, and that was evidence to me that he would be of use to the republicans. I conceived the idea that it would be a good plan to keep Siverd on the track subject to my withdrawal; that as long as Henderson was supporting Siverd, and Siverd was ready to withdraw whenever I told him to, he was not hurting Ed. much, and therefore Siverd stayed on the track until I got ready to put him off. I went to Greer and had a talk with him, and told him we had better get hold of the postoffice while we could—we might get left in the coming campaign and would not be in shape to demand anything; that Siverd would run for sheriff, and that I wanted some good excuse to present to Mr. Siverd to get him out of the way, and Ed. had an active political mind and he at once made this excuse, that he would give Siverd the office in twelve months if he was defeated for sheriff. Neither one of us thought he could be defeated, and did not think we would be called on to keep the promise, and Siverd got beat, but of course I did not expect Ed. to turn over the office.

By Mr. Henderson: Q. And Siverd was defeated by the deception of yourself and Ed. Greer? A. By the understanding that existed between Mr. Siverd and myself.

By Mr. Senn: Q. You said that you advanced the theory that the bomb was to be shipped to Winfield and exploded in the *Courier* office and the Vincents were to be blamed for it, for political purposes? A. No, I did not just state that; I did not say that the Vincents would be blamed for it. I said that that would corroborate the expose, the *Vidette* expose that was in the *Courier*, and that the Vincents—they would of course arrest the Vincents and at least stop the issuing of their paper.

Q. And you claimed that was your original idea? A. Yes, that was an original idea of my own.

Q. Had you been reading the papers in regard to that explosion? A. Yes, sir; to some considerable extent.

Q. Were you not aware that the Vincents, in the *Non-Conformist* and in their pamphlet, advanced substantially the same theory, or had advanced it? A. No, sir, I never heard of it before. I claim originality. There were two ideas in my mind; one idea was to get them to state the fact that the *Courier* office was to be blown up and not the Vincents' office. The next idea was, that I would see, by gradually progressing in the matter, if they would not conclude that it was somebody besides Henrie that delivered that bomb; and when Clover called on me to give him the name of the man who delivered the bomb, I told him that I had forgotten—could not think of the name. He asked if he was in Topeka. I said, "No; he must be a

fool to be in Topeka; he would likely go out west and grow up with the country." That was my idea, but they did not seem to get hold of that—part of them.

Q. To what political party did you belong when you made that statement? A. I was always a republican, uncompromisingly.

Q. What political purpose did you have in view in that statement? A. The political purpose I had in view was simply this: The Vincents and the people's party claimed that they were in possession of certain facts, as nearly as I could learn in talking with these fellows and voters—I might say they claimed that it cost them a great deal of money to learn these facts; that they had detectives at work to learn these facts. Now, sir, the political object I had was to see whether they would accept my plain, unvarnished statement instead of some of the facts they said they knew, that cost them so much money; and if they accepted what I said in lieu of the facts that they said cost them so much money, it would be evidence to me that they knew nothing about it.

Q. You certainly knew that the Vincents had persistently charged the republican central committee with that crime? A. They were responsible for it—yes, sir, I knew that.

Q. I do not think it made very much change—your theory—after all. A. It made some considerable change. There is a great deal of difference whether I am blown up or you are blown up.

The witness was excused from further attendance.

ED. P. GREER, recalled for further examination, testified as follows:

Examined by Mr. Cartis: Q. You may state your name again, to the Committee. A. E. P. Greer.

Q. You testified before upon the stand, in this investigation? A. Yes, sir.

Q. Did you hear the testimony of Volney Beard, a witness who testified before this committee several weeks ago? A. Yes, sir.

Q. Do you remember, Mr. Greer, if on the night of the 11th of October, 1888 about the hour of eleven o'clock, whether you, and Mr. Hendricks, and Mr. Wilson, and Jim Cooper were in front of Hendricks & Wilson's place of business, near the place of business, or nearly in front of the place of business of Volney Beard, in the city of Winfield, discussing politics, or talking upon any subject until the hour of eleven o'clock at night, or about that hour, when Sol. Burkhalter came up, and then Mr. Hendricks, and Wilson, and Cooper left, and the following conversation took place between yourself and Burkhalter: Mr. Burkhalter said, "Ed., I believe you are onto them"; you said, "Yes; you bet I am"; Mr. Burkhalter said back, "My God! that is awfully dangerous!" to which you replied, "No, sir; not at all"; "Well," said Burkhalter, "how are you going to fix it?" and you said, "I am going to have an officer there when the package is delivered"? A. No, sir.

Q. Did you ever have such conversation with Mr. Burkhalter at any time in front of or near Volney Beard's place of business? A. I never had.

Q. Did you ever have any conversation with him—Sol. Burkhalter—in front of Mr. Beard's place of business, or near his place of business, at any time, that was anyways near like that? A. I have never had a conversation with Mr. Burkhalter at any time or at any place, anything like the conversation so reported.

Q. You may state to the Committee if at any time you had a conversation with Mr. Burkhalter in reference to being onto them? If you did, state when it was, where it was, and what was said. A. The only time I remember of meeting Mr. Burkhalter in the vicinity of Hendricks & Wilson's place of business was on the afternoon of the 4th day of October, 1888, being the afternoon of the evening upon which I published the first expose of the Videttes. Upon that afternoon a party of

gentlemen were gathered in front of Hendricks & Wilson's place of business, among them being Mr. Cooper and myself. None but Mr. Cooper and myself knew of the forthcoming Vidette expose. I had previously left my office, after the forms were all ready for that evening's paper, and meeting these gentlemen in front of Hendricks & Wilson's, I proceeded to tell them that we would have some sensational news for them that evening. They were curious to know something about its character, and I gave them an idea. After conversing there for probably thirty minutes, I started north on Main street, and met Mr. Burkhalter on the street. He was also aware of the fact that the expose would be published that evening. As we met he said to me, "Ed., are you going to give it to them dynamiters this evening?" I said, "Yes." He said, "It will stir them up, won't it?" I said, "I think it will," and passed on. That was on the afternoon of the 4th day of October, prior to the publication of my paper that evening.

Q. I will ask you to state if you ever at any time in front of Mr. Beard's place of business or near it, had the following conversation with Mr. Burkhalter: Mr. Burkhalter saying to you, "Ed., you are onto them;" you answering, "You bet I am onto them," or words to that effect; to which Mr. Burkhalter replied, "Ed., that is awfully dangerous, and is liable to hurt some innocent persons, women and girls; you had better be careful, Ed.;" to which you replied, "There was no danger, you were going to have an officer there as soon as the package was delivered, and arrest the fellow." A. I never had such conversation with Mr. Burkhalter at any time nor at any place.

Q. Did you ever have any such conversation as the last one mentioned or the one before, with any person at any time in front of or near Mr. Beard's place of business? A. I never did.

Q. Did you ever have any conversation with Mr. Burkhalter or any other person at any time in front of Mr. Beard's place of business that could be in any way distorted into a statement of that kind? A. I never had.

Q. Were you a member of the republican county central committee of Cowley county during the year 1888? A. No, sir.

Q. From the position you took in your paper and the assistance rendered the republican party of your county during the fall of 1888, were you a frequent visitor upon republican headquarters? A. I was there almost daily.

Q. I will ask you to state if you ever at any time during the fall of 1888, in or about the republican county central committee rooms or among the members of the republican county central committee of your county, ever heard the subject of bringing dynamite or other explosive substance to Winfield, discussed at all by them? A. No such subject was mentioned in my hearing.

Q. At the time you visited the republican state central committee, did you ever hear the question of the preparation of a box of dynamite or other explosive substance discussed or talked about by any member of the state central committee or by any other republican or person? A. I never heard the matter mentioned.

Q. Did you have any knowledge or information of the preparation of a box of dynamite or other explosive substance that was prepared to be delivered to the agent at Coffeyville, and sent by express from Coffeyville to Winfield, Kansas? A. No, sir.

Q. I will ask you to state if you directly or indirectly aided and assisted or consulted with any person upon the subject of preparing a box of dynamite or other explosive substance to be delivered to the agent, Mr. Upham, or any other person at Coffeyville, for the purpose of being shipped or sent by express to Winfield or any other place? A. No, sir.

Q. I will ask you to state to the Committee if you had any knowledge or any information at any time of the preparation of the box of dynamite or other explo-

sive substance that was delivered to Mr. Upham on the 18th day of October, 1888—the box that exploded in his place. A. Had no knowledge whatsoever of any such box.

Q. Did you ever at any time make any arrangement for the preparation of the box or boxes of dynamite to be shipped from any place to you at Winfield or to any other person to be used for any purpose? A. No, sir.

Q. You testified you knew C. A. Henrie? A. Yes, sir.

Q. And Mr. Poorman? A. Yes, sir.

Q. Did you ever have a talk with either of these gentlemen about dynamite and the preparation of a box of dynamite or other explosive substance for any purpose? A. No, sir.

Q. Did you have any knowledge of the preparation of a box of dynamite, or other explosive substance, by the republican state central committee, or by the republican county central committee of Cowley county, or by any republican or person in the state of Kansas, for any purpose? A. No, sir.

Q. Did you ever receive any letters from Mr. Henrie, purporting to come from any town in Ohio? A. No, sir.

Q. Did you ever have any correspondence with a person by the name of Henrie? A. Never have.

Q. Or with any person in Ohio, to be delivered to Henrie? A. Never have.

Q. Have you had, at any time, any correspondence with Mr. Henrie, at the city of Topeka, or any other place? A. No, sir.

Q. Did you ever charge the dynamite explosion directly, upon the Vincents, either in your newspaper, or orally? A. I would prefer to explain just exactly how I did.

Q. You may answer the question by any explanation you desire. A. I have never at any time charged the explosion to the Vincents, except by implication, in this wise: When the explosion occurred, it being upon the same evening of my publication of the final and convicting expose of the order of Videttes, the fact that the Vincents had previously at various times and to various persons denied their connection with any such order, created in my mind very grave apprehensions regarding the purpose and responsibility for that explosion. I published in my paper all the facts I could glean of the explosion, among which was the statement of Mr. Upham that the box which had exploded had been delivered to him for transportation to a party by the name of L. Loudon, in the city of Winfield. An examination disclosed the fact that no such person resided in Winfield; and further examination disclosed the fact that the only person residing in Winfield with a name in any way similar was one Bowden, a relative of the Vincents. I felt at the time that Mr. Upham's story was true; and if true, a box was certainly deposited to be sent to Winfield for a purpose; and I could conceive of no other purpose than in some way of preventing the second expose of the National Order of Videttes and the Vincents' connection therewith: therefore, acting upon that feeling, at the same time responsive to the excited condition of the public mind, I prepared an editorial for the *Courier*. In that editorial I recited the fact that we had undoubtedly in our midst a secret, oath-bound, revolutionary organization; that while the explosion at Coffeyville was mysterious, yet it seemed to have been intended for some purpose in Winfield; that while the facts pointed toward this organization and its purposes being in some way connected with the handling of dynamite and bringing it to Winfield, still a man was presumed to be innocent until he was proven guilty; that the laws of our state were sufficiently powerful to ascertain the facts and bring the guilty parties to justice; and I advised the people not to settle upon a conclusion regarding the matter until they had further light upon the subject. That is the farthest

that I ever went at any time toward charging the Vincents with the explosion at Coffeyville.

Q. Did you ever, at any time, claim to have any evidence that they were guilty of it, other than that which you have referred to? A. In addition to the items of evidence heretofore stated, I also cited the fact that they had published in their paper which just appeared when I had written the article—while I was preparing the article—a letter from Topeka, in which it was stated that there was matter in preparation, and they must look out; or words to that effect. I cited the fact of the publication of this letter in their paper as evidence that they knew that something was being prepared as a possible straw, showing that if they had prepared this dynamite, it had been prepared upon the supposition that I would not publish the matter that I had learned of until later than I really did, and, therefore, they had made a mistake in their calculation.

Q. You may state to this Committee when you first designated the Vincents as anarchists, and why you did so. A. When they removed from Tabor, Iowa, to Winfield, and began publishing their paper, I noticed a decided tendency toward socialism. This appeared more especially in their comments upon the trial and conviction of the Haymarket anarchists. This conviction, and the subsequent execution, they denounced as judicial murder. I believe that the law had been discriminating in selecting from the number of anarchists in Chicago those who, while probably not themselves having thrown the dynamite, had by their teachings, and by their preachings, and by their publications, and by their speeches upon the streets and in secret conclaves of their order in Chicago, prepared and incited to frenzy the men who did throw the bomb; and, therefore, that the man or men who upheld and defended these acts, and denounced their execution as judicial murder, were, in fact and in truth, more dangerous than the men who prepared and threw the bomb. Therefore, I denounced the Vincents as anarchists, and from that time I believed in my heart that they were dangerous to the peace and welfare of our community.

Q. You may state to the Committee where you was on the night of October 11, 1888. A. I was in the city of Topeka, from four o'clock in the morning until the 13th.

Q. You were asked by Mr. Henderson which train you arrived on; and if, since you testified, you have been able to ascertain, I wish you would tell the Committee. A. I have refreshed my mind upon that subject, and remember to have left Winfield upon the 11th of October, not later than 7:40 p.m. My remembrance is that I left at 3:05 p.m., went to Wichita, stopped off there until the night train, then came on to Topeka; stopping at Wichita for the purpose of observing the effect of an excursion arranged for by the business men of Wichita, for the purpose of increasing their trade; but as to the incident of the visit to Wichita, I cannot satisfy my mind whether it was the first or second excursion, which was a month later; my impression is, that it was the first.

Q. You stated about publishing the two exposes; now state to the Committee if you received any money consideration from the State central committee for that publication. A. Not a cent.

Q. Did you ever ask for any money for the publication of the expose? A. I never asked one dollar for political services from anyone.

Q. Was there anything in the report, that has been testified to here, about your receiving the sum of eight hundred dollars for services in that regard? A. No, sir.

Q. Do you remember of having a consultation with Governor Humphrey, at which yourself and Mr. Hackney were present, some time after the publication of the Red Book, or the accusation of the Vincents? A. Yes, sir.

Q. Please state to the Committee how you happened to have that meeting. A. I

met Governor Humphrey here in Topeka. Some time prior to this meeting, I said to him, "I do not like to be thrown upon the defensive, especially when I am forced to prove myself innocent of something of which I never should have been charged." He said, "There is a great deal of talk about this matter, and while I feel somewhat as you do, yet it is not clear to me but that we ought to make a reply to this matter." Mr. McCray, I believe, was present, or came in the room during the conversation. I went home. Some time after that I received a note from McCray inclosing a clipping from Mr. Dond's paper, of Eureka, this, and a pencil note reading like this: "Can you come up to Topeka and talk this matter over?" I answered Mr. McCray, "If the Governor can be at home on a certain date, fix the date, and I can come up." I think Mr. McCray notified me that the Governor would be there on a day named, and I came to Topeka. When I got here to Topeka I met Mr. Hackney, told him the purpose of my coming; together we went with Governor Humphrey over to his office, and entered into quite a lengthy discussion relative to the advisability of making a reply. I objected to going upon the defensive at all in that matter, but I was finally overruled, and my judgment changed in regard to it, and it was decided that I should proceed at once to prepare a reply after my own idea, relative to the charges made. I then said to the Governor, "I suppose it will be necessary to have an affidavit from Mr. Henrie, and also corroborating statements as to his whereabouts upon that day, as he had been charged with being the man who had deposited the box." He said, "I suppose it will be best to have some attorney draw these affidavits for Mr. Henrie;" and I suggested Mr. Leland Webb as a proper party to draw them. I then said, "I must return home at once, and have not time to look after this matter. You will see Mr. Henrie and Mr. Webb and have them prepare and forward the affidavits to me." He said, "I will attend to it." I then returned home, wrote to Mr. Poorman relative to the charges that had been made, and prepared and sent to Mr. Poorman an affidavit.

Q. You got up the reply, did you? A. I got up the reply as published.

Q. As introduced here in evidence? A. Yes, sir; securing the affidavits of the various parties charged, and prepared the matter, combining it, and published the defense.

Q. Did you afterward receive the affidavits of Mr. Henrie? A. Yes, sir.

Q. Can you tell this Committee from whom you received them, whether it was from Mr. Henrie himself, or D. O. McCray, or who? A. I cannot remember. It seems to me I received the two or three affidavits from Mr. McCray, with the statement that one party was over in Pottawatomie county; that as soon as he would return another affidavit would be sent; and I think another affidavit was sent within a few mails by Mr. Henrie; that is my understanding.

Q. After the explosion at Coffeyville did you ever at any time request any county officer not to investigate that explosion? A. No, sir; on the other hand, I urged our county officers to investigate it.

Q. After the explosion did you at any time yourself or did you cause any other person to approach the county officers of your county or of Montgomery county and request them not to file papers against any persons, for political reasons or for any other reasons? A. No, sir; I did not. I will qualify that in this respect: I called upon our county attorney and said to him, exhibiting copies of the *Non-Conformist* and other publications relative to myself, and said, "This looks as if those scoundrels might get so far as to get out papers to arrest me for political purposes, and I want you to investigate this matter carefully and actively, and try to ascertain the facts, so that you may prevent any such action as that."

Q. Did you request the county officers of your county or Montgomery county not to prosecute any person that was charged with this offense; and especially Mr.

Poorman, Mr. Henrie, Mr. Booth or Mr. Hutchins, or make any other request, save and except what you have just said, for any purpose? A. No, sir.

By Judge Webb: Q. At what time did the Vincents locate themselves in the city of Winfield? A. I cannot recall the date.

Q. Can you state the year? A. I think it was 1886; it might have been 1885—probably it was 1885.

Q. They came there directly from Iowa, as you understand it? A. As I understand it—yes, sir.

Q. Did they immediately enter upon the publishing and conducting of a paper there at Winfield? A. Yes, sir, they did.

Q. What was the paper of which they first had charge of there called? A. The *American Non-Conformist*.

Q. That was the name of the paper from the beginning? A. Yes, sir.

Q. Did they commence the publication of their paper before the trial and conviction and execution of what we know as the Chicago anarchists? A. Yes, sir, before the execution. I cannot state as to the conviction.

Q. That was a subject of newspaper comment very generally, was it not? A. Yes, sir.

Q. And the paper conducted by the Vincents disapproved of the verdict and sentence which were rendered and enforced against the convicts? A. Yes, sir; and charged that it was judicial murder.

Q. They said it was a judicial murder? A. Yes, sir.

Q. Did they in that paper say that persons shown to be guilty of the destruction of life and property by the criminal use of explosives and bombs ought to be justified and upheld in the community? A. No, sir; they did not discuss that part at all.

Q. They did say the evidence upon which the verdict was rendered was not such as connected the defendants with the crime imputed to them; and the court should not approve a verdict based upon such evidence? A. They said, as near as I can remember, that these men were guilty of no crime; and that the judge and jury were guilty of judicial murder.

Q. I will ask you to state if they said these men were guilty of no crime, or that evidence did not prove them to be guilty of a crime? A. They made a declaratory statement that they were not guilty of any crime—if I remember.

Q. Didn't they say that they were not shown to be guilty of any crime? that they were not proven guilty of any crime? that the evidence did not warrant that they should be convicted of any crime? they merely expressed their opinion as to the force of the evidence? A. My theory is that their statements of that case were denunciatory, and not argumentative.

Q. Have you got such recollection of the facts that you can state the language they used? A. I can recite the language that impressed itself upon my mind, namely, "That the judge and jury were guilty of judicial murder." Now, I cannot be just certain about the connection of the words. The words "judicial murder" impressed themselves upon my mind.

Q. The Coffeyville explosion of October 18, 1888, was, immediately thereafter, the subject of comment in your paper, and in all the papers published throughout the state, was it not? A. Yes, sir.

Q. Each paper undertook to account for the manner in which it occurred, so far as you know, did it not? A. Each had its theory about it.

Q. So far as you individually know, it was simply theory upon the part of the writers? A. Yes, sir.

Q. Was that editorial, prepared by you upon that subject, declaratory of a theory, or assertive of a fact, as to who was chargeable properly with misconduct in connec-

tion with the explosion? A. The article was declaratory of a theory, and assertive of a fact, only so far as the scraps of circumstantial evidence, produced in my paper, indicated.

Q. How soon after you were advised of the fact of the explosion did you give publicity to your theory connected with it? A. I think the day following; the evening following.

Q. Until you heard of the explosion having occurred, you had no idea, information or intimation that such a thing was to transpire there at Coffeyville, or elsewhere? A. No, sir.

Q. From what source did you get information upon which to base your theory, so soon afterwards? A. The facts stated to me by Mr. Clifford, who recited the statements made to him by Mr. Upham; and from D. Stewart Elliott, in answer to a telegram of mine requesting information; and my theory was further strengthened by the receipt of an extra, published by Mr. Elliott, reciting at length the details of the explosion, and reiterating the fact that the package was consigned to Winfield.

Q. The address of the package was to one L. Loudon, as you understood it? A. Yes, sir.

Q. You made inquiries as to the existence or presence of such persons in your city? A. Yes, sir.

Q. You were unable to find one whose name corresponded to that of the consignee of the package? A. I found no one whose name corresponded with that.

Q. But you did learn that there was some person in the city whose name was Bouden? A. As Bowden.

Q. What was the christian name of that person? A. I do not think I ever learned the christian name.

Q. From the fact that you were unable to learn of some resident citizen of Winfield whose name was L. Loudon, you concluded that the package consigned to that name was intended for some one by the name of Bouden, without any regard to the first name. A. When I found there was no L. Loudon in Winfield, I came to the conclusion that the explosion of that box could not have been an accident, and the explosion of material intended to be used for legitimate purposes; because the package, to have been used for a legitimate purpose, would likely have been addressed to a real and not fictitious name; therefore, I sought to discover if possible the reason for that, or if there was any name to which it might have been addressed through mistake. In searching out that idea, I came upon the name of Bowden, and thought perhaps the parties sending the box might have made a mistake in one or two letters of the name; and that it had been misdirected. That is the only idea that the name matter made upon my mind.

Q. When did you discover the fact that there was a Bouden and no Loudon? A. I began investigation immediately.

Q. How soon did you reach a conclusion? A. It seems to me, the next day; very soon, anyway. I do not remember how soon.

Q. You certainly reached it before you wrote the first editorial on the subject which appeared in your paper? A. I reached the conclusion that there was no such name as L. Loudon in Winfield, but I do not remember whether at that time I knew of a Bouden.

Q. If you are not certain now that you knew of a Bouden at that time, then you could not have known that the Boudens were relatives of the Vincents. How did you associate the Vincents with it? A. I had previously formed very strong opinions regarding the Vincent theory; in other words, that they were socialists with strong anarchistic tendencies; further, that view was entertained by me and stated in my paper long before I learned of their connection with the National Order of

Videttes. The discovery that they were active in that organization materially strengthened my opinion regarding their theories and views. The further fact that they denied the existence of the order, and their connection with it, after the publication of my first expose, and the further fact that I had proved to my own mind conclusively, and produced sufficient evidence to convince the public in general, that they were active organizers of the order at the time they were denying its existence, convinced me that my original opinion was true, and further, that they were in dead earnest upon the lines they were traveling; and while I could not conceive how any sensible man could originate and carry out any plan involving the possible destruction of property or human life for political purposes, yet the mystery surrounding this box, the fact that it was directed to Winfield, indicated that such a scheme was contemplated, and that it was deadly and dangerous as to purpose and theory. It inevitably led me to the conclusion that the Vincents and the National Order of Videttes were in some way responsible for that explosion, if it was an explosion of the character and under the circumstances as had been reported to me.

Q. The Vincents had just impressed you with the idea that they were socialists in their notions, or that they were socialistic? Now I wish you would tell me your idea or understanding of what constitutes socialists, what makes socialists of those who are socialists. A. My idea of socialism is more nearly expressed by the word communism; in other words, it is the advocacy of a theory tending to promote a division of property, a community of interest in affairs generally.

Q. Now, then, what do you understand resolves one into an anarchist; what are the ideas based upon? A. My idea of the difference between a socialist and an anarchist is simply this: A socialist and anarchist, their belief, according to my idea, and opinion upon general policies are about the same, but they differ upon the methods of bringing about their theories. The socialist is content to go on and produce his results through a natural, educational campaign, while an anarchist desires to produce his results in a natural, social or political way if possible; if not, he will resort to whatever means or force are necessary to overcome the powers opposing him.

Q. You have suggested to me the idea which you design to convey by the use of the terms socialist and anarchist. Had the Vincents, in the conducting of their paper, been in any wise outspoken with reference to the subject of communism? Had they discussed that at all? A. Well, they are not given much to discussion in a newspaper; assertion is their favorite method. It was in matters assertive that they conveyed to my mind the idea of their communistic tendencies, and they unreservedly and without exception termed men who had accumulated a competence, plutocrats, thieves, robbers and other endearing terms of like character.

Q. The Vidette expose commenced in the issue of your paper of October 4th. A. Yes, sir.

Q. Was that publication made before or after the interview which you spoke of as having been had by yourself with Governor Humphrey and Mr. Hackney? A. This publication of the Vidette expose was in 1888. This interview with Governor Humphrey in 1890, I think.

Q. The interview mentioned occurred at the office of the governor, or executive department, on the 4th day of July, 1889, didn't it? A. It seems to me it was on Sunday: I cannot remember what day it was.

Q. You came here from home for the purpose of having an interview with the governor? A. Yes, sir.

Q. At whose instance did you come? A. At the instance of Mr. McCray; a note from Mr. McCray.

Q. He was an employé, a clerk for the governor? A. Yes, sir.

Q. Mr. Hackney was here upon that occasion? He did not come with you upon that occasion? You and he did not leave home together? He lived at Winfield?

A. No, sir; I met him here.

Q. Were you aware of the fact that Mr. Hackney would be here upon that occasion? Did you know he was here? A. I might have known he was here. I do not remember whether I did or not.

Q. Did you and he go to the governor's office in company, or separately? A. I met him in the Copeland Hotel; he was stopping there; told him what I was there for; and we met the governor there in the hotel, and we all three came over to the governor's office.

Q. Were there any other gentlemen present at that interview except you three? A. No, sir.

Q. What was really the subject of discussion between you? What was the matter you had under advisement? A. The matter was the advisability of preparing a reply to the charges made by the *Non-Conformist* and the red book, with special reference to that charge which recited: "We charge that Governor Humphrey, Bion S. Hutchins, Captain Booth and E. P. Greer are responsible for the damnable plot, and the *Non-Conformist* knows they are knowing to it." All the charges hung around that. The point discussed was as to that charge, it being so direct, and the others all around it; that it was necessary and proper for us to prepare a reply.

Q. Well, now then, after consulting with the Governor and Mr. Hackney, it was determined that a response in the nature of a refutation to that charge should be made? A. Yes, sir.

Q. And aside from the affidavits which were to be furnished for use in connection with it, the article refuting the charge was to be prepared by you? A. Yes, sir.

Q. Now, you say you had some conversation with the Governor with reference to affidavits: if you please, just repeat that again; what was said upon the subject by yourself, Hackney, or the Governor? A. After the settlement of the question as to the reply, and the decision that I should make it, I then said it would be necessary to secure the affidavits of the parties charged, and Mr. Henrie should furnish an affidavit showing his whereabouts upon that day, and such corroborating testimony and send to me at an early day. I think I asked Mr. Hackney if he could see Henrie and prepare an affidavit. He said he could not, as he did not have time. I then suggested to the Governor that it was impossible for me to stay, and asked him if he would see about it, and further suggested Mr. Webb as a good man to prepare the affidavit.

Q. Then afterward you received from McCray two affidavits, as your recollection, the later one from Mr. Henrie? A. I do not remember how many there were, but I received two batches. I do not remember who they came from; some came from McCray and some from Henrie.

Q. Now in the article which you prepared according to that understanding, you used as a part thereof and in connection therewith the affidavits which you received, published them? A. Yes, sir.

Q. You published also in the same connection one made by yourself, did you not? A. No, sir; I made no defense of my own connection with it save in a small card at the end of the whole matter.

Q. You were not furnished with any sworn statement of either Booth or Hutchins? A. No, sir.

Q. Governor Humphrey's clerk wrote a letter and made an affidavit that became a part of your article vindicating these several gentlemen against the charge? A. Governor Humphrey told me in this conversation that he had had some correspond-

ence with the county attorney of Montgomery county; and in asking the county attorney for his statement I requested that he transmit to me copies of the Governor's letters to him relative to the transaction. I published these letters of Governor Humphrey's; that was the only matter from him.

Q. These were letters pertaining to the contemplated prosecution to be instituted and conducted by the prosecuting attorney of Montgomery county? A. Written long before.

Q. Well, the subject-matter of your interest and solicitude, that you finally concluded to defend against, was the preparing and furnishing the explosive which did the harm; not the prosecution therefor, but the complicity of those charged with preparing the destructive agent, was it not? A. It had been charged as I have stated. These charges were the basis, and the item adduced to prove the correctness of their publications, that these parties were responsible for it, was the fact which they stated that the officers refused to prosecute; therefore, it was necessary, in making a refutation of that charge, to say that their accusation against the officers refusing to prosecute was false and groundless.

Q. If, notwithstanding the explosion at Coffeyville, no imputation had been made against yourself, Governor Humphrey, Mr. Booth, Mr. Hutchins, and Mr. Henrie, there would not have been anything for you to defend against, would there? A. I should much more readily defend the republican party from a charge of complicity than to have defended myself individually.

Q. My idea is this, Mr. Greer: If it were conceded that somebody had furnished this box that contained this explosive, and it had been exploded at the house of Mr. Upham; that nobody was charged with it; that it was not charged that anybody knew who was responsible, there would not have been anything for you, Booth and Hutchins to defend against for the purpose of protecting yourself; if you were not accused, you would not have to make any defense? A. No, sir.

Q. Then it was not really whether the officers of Montgomery county did their duty or did not do it. They did not determine who had placed the box at Coffeyville, or change any mind upon that subject, did they? A. Yes; but when a falsehood is set up as a circumstance tending to prove a crime, the proof relative to that fact and the surrounding circumstances tends to destroy the charge itself; therefore, I deemed it material and necessary that that charge, which, if proven, was a material circumstance tending to show that these parties had some complicity with it, should be denied.

Q. You are now of the opinion that upon your visit to this city, which you reached, as I understand you—I may be wrong—on the morning of the 11th of October; is that right? A. Yes, sir, about 4 o'clock, on the morning of the 11th.

Q. Wasn't it the morning of the 12th? A. Yes, sir.

Q. That you came by the way of Wichita? Your recollection is, you came by the way of Wichita? A. Yes, sir.

Q. And from Wichita here on the Santa Fé? A. Yes, sir.

Q. You left home on the 11th, in the after part of the day, not earlier than three o'clock and not later than seven-forty, but which of these trains you came upon you do not remember? A. I have not a distinct recollection.

Q. How are you able to refresh your recollection as to the route by which you came? A. I first, since my previous examination, examined my day-book and my check book. I found entries in my own handwriting in my day-book, made upon the 11th, and I found that I drew a check for ten dollars, entering upon the stub that it was to be charged to my personal account, on account of expenses to Topeka. I referred back to my papers and secured from the vouchers returned from my bank the original check; found that it was indorsed by James R. Cole, proprietor of the

St. James Hotel, indicating that on the road to the Santa Fé depot I had dropped into the St. James Hotel and got the check cashed. I found upon examination of the register of the Copeland Hotel that I had registered for lodging on the night of the 11th day of October, and was assigned to room forty-one; therefore, I knew I had arrived in Topeka upon a train arriving after midnight, and must have come by the Santa Fé, and could have come by no other way.

Q. Your impressions were, before having refreshed your recollection, that you came by the way of Kansas City? A. That was my impression, because I often came that way in order to get a good night's sleep.

Q. And it is that which enables you to say with assurance that upon the night of the 11th of October, at no time later than 7:40 in the evening, you were not nor could not have been near Beard's place of business? A. Yes, sir.

Q. Do you remember where you were for the two or three days immediately preceding that? I mean were you about your usual business? A. Yes, sir; I have entries upon my day-book extending back for nine or ten days prior to that, in my own handwriting, showing that I was there.

Q. Your political campaign at that time was, as we say, at fever heat? A. Yes, sir; it was very warm.

Q. And you were then, as you are now, proprietor, editor and controller of the republican paper of that city? A. Yes, sir.

Q. In fact, what is known as the organ of the party in that county? A. Yes, sir; it is so regarded.

Q. The active politicians of the county, those who composed the central committee as well as other active men, you were generally acquainted with and rather intimate? A. Yes, sir; we would consult together.

Q. You were a frequent, and in your own language, almost a daily attendant at that time upon the republican headquarters, in consultation, more or less, with the parties who had charge of the campaign? A. Yes, sir.

Q. Burkhalter was a member of the central committee? A. Yes, sir.

Q. You saw him frequently? A. Yes, sir.

Q. That was true of Frey and Cooper? A. Yes, sir.

Q. They knew the publication of the 4th was to be made, in fact before it was made, didn't they? A. Yes, sir.

Q. After it was made you had conversation with them concerning it; and intermediate to that publication and the one of the 18th, the fact of the more extended expose to appear at some date in the future was also discussed and understood, was it not? A. No, sir; not in that way. The first expose was simply a publication of the ritual with name of the Vincents as printers in the front of that book; therefore we had no evidence conclusive and absolute with which to meet their denials. They said, in explaining their name being in the front of the book, that some man came to them, a stranger whom they knew not, and asked them to print the book for them; and that they supposed it was some G. A. R. book, because he was a G. A. R. man, had the button on, and they printed it, and that was the way their name came to be in the book. Now Mr. Poorman had received, in conversation with Mr. and Mrs. Nutt, the grips, etc., of the order, and had a general idea that it was extended over the state, but he had no conclusive evidence other than the book itself, and other than his own knowledge and our conclusions respecting the connection of the Vincents with the order. Therefore, when they denied in that wise, and explained their imprint being upon the book as I have stated before, it seemed necessary to go further into the matter. We frequently discussed together as to where we should secure other evidence, and I said we must follow this matter up, and I followed it up. I was trying to devise ways and means of discovering if there

were any members of the order in Winfield, and its extent there, and so secured some little information; found secret meetings were being held in the Hackney building; found out that certain men had attended these meetings, and gradually gathered other facts, when I received a telegram. I had received a telegram from Mr. Booth prior to that, stating for me not to publish this ritual as they had more important matter bearing upon the same subject, but I had published the ritual when I received his dispatch, and so answered it. In the meantime this discussion went on. I received a telegram from Mr. Booth to come to Topeka, and I came here and secured other matters from him and prepared the exposé.

Q. When did you say you received the dispatch from Booth to come to Topeka?

A. On the 11th.

Q. And started immediately? A. Immediately.

Q. Henrie had been to your town a few days before—on the 9th? A. He had been there, yes, sir; I did not know who it was at the time.

Q. You did not then know him? A. No, sir.

Q. You came here in obedience to Booth's call by telegram? A. Yes, sir.

Q. And upon arriving here, where did you find and have your conversation with Mr. Booth? A. I went to the republican central committee headquarters.

Q. In the Windsor Hotel? A. The Windsor Hotel.

Q. In the Windsor Hotel? A. Yes, sir.

Q. Was Hutchins there at that time? A. I cannot call to mind whether I met Booth first, or Hutchins first.

Q. Did you see them both there? A. Yes, sir.

Q. Was Henrie there? A. I did not see him at the time. He was not in the rooms of the central committee.

Q. Did you see him or have an interview with him while you were here upon that occasion? A. Yes, sir; Mr. Booth took me up-stairs to his rooms.

Q. For what purpose, Mr. Greer, did Booth take you up to see Henrie? A. He wanted me to see him, he said, "We have got some more matter about this Vidette business." I said, "All right; I would like to see it." He said, "All right, come on." We went up-stairs, and he looked at a fellow and asked me if I knew that fellow. I said I had seen him and he introduced me to Mr. Henrie. I asked him what he was doing at Winfield, and he said he was down to see his friends the Vincents.

Q. Go on and tell the conversation in which you took part; tell the whole conversation. A. I asked him if he had become offended at the abrupt manner in which I left him. He said he thought it kind of queer, and asked me why I had done so. I said, "You got to talking familiar about the Vincents, and I thought probably you were a mic'ader, and I thought it best to leave you alone." Mr. Booth proceeded to talk about the Vidette expose, and he said he had engaged Henrie to help get up some additional matter, and they thought from my having published the first expose, that it would be best probably for me to handle the additional matter. I told them I was very anxious to have it; that I had been looking for additional evidence, and that I had satisfied myself that there was quite an extensive order in Winfield; and found out about their meetings and the names of some who apparently belonged to it, but found it very difficult to get on the inside; I told them I had taken some steps to have some one join the order; then Mr. Booth said: "Well, will you stay here and help prepare the matter?" I asked him how much it would make, and he said eight or ten columns; "Well," I said, "I guess I had better stay and help;" so we sent out for chairs, and Mr. Henrie produced a manuscript. I had brought the ritual up with me, and also copies of my paper; they had copies of my paper there in the room containing the ritual, but I had the original ritual. Henrie and I discussed that matter and some other matters and I gave him my impression of the Vidette order;

told him I had grave apprehensions in regard to it, its character and purposes. We discussed the personal character of the Messrs. Vincent; I told him that personally they were clean and honorable men; that I had no reason to object to them as citizens any more than their theory and doctrines, which I believed to be dangerous. He said that he was satisfied that the Videttes were an outgrowth of other anarchistic organizations; said he knew something of such organizations and that it was similar in various manners.

Q. That is, Henrie? A. Yes, sir. And that indicated to his mind that it was the outgrowth of other orders. We discussed the whole field of arranging the matter; how to put it before the public, as newspaper men will; and discussed the form of other articles so as to produce the best effect upon readers. Having settled upon the general form of the expose, I prepared matter upon one line, and he prepared it upon another line.

Q. Which particular feature of the matter, or manuscript, that you were preparing for use, was intrusted to him? A. He prepared the commencement of the article, I think, and I think I wrote some along in the early commencement of the article, and I think I wrote some of it relative to the arms and equipments, the character of the oath—showing him from extracts from the ritual, its revolutionary character—and the matter relative to arms and equipments, bringing that out clearly, noted the character of the organization being military, bringing that out, and more that I cannot recite. I do not know about that.

Q. You say Mr. Booth told you they had employed Henrie to help prepare the matter for publication? A. Yes, sir.

Q. Did he tell you any reason why they had selected Mr. Henrie in preference to some other gentleman? A. I think that evening I said to Mr. Booth that "I was not very favorably impressed with Mr. Henrie; that he was kind of like a black-and-tan dog—better than he looked." That is the remark I made. Mr. Booth said, "Mr. Henrie is a bright, intelligent man, and I have found him to be a very excellent man, so far as I know." That is the conversation that passed between us relative to Mr. Henrie.

Q. You said you had contemplated, if necessary, to secure some one to unite with the order of Videttes, in order that you might, through him, become fully advised of its secret purposes and character; that you so stated to Booth? A. I do not remember.

Q. Were you not then advised that that was unnecessary; that Henrie was fully possessed in regard to that matter? A. I do not much think that I testified that I said that to Mr. Booth.

Q. But in talking over the preparation or preparing of the matter, which was prepared by you and Mr. Henrie jointly, I ask you whether you were not there advised of the fact that Henrie belonged to the Videttes and that he also belonged to the Knights of Labor? Were you not advised that he was a member of each of these organizations? A. I was not advised that he was a member at all.

Q. Did you learn that during the time that you were associated with him? A. No, sir; I never learned it at all.

Q. You had no knowledge of the fact that Henrie had belonged to either of the orders? A. I gained the impression in my own mind that Mr. Henrie belonged to the Videttes; but I did not gain that impression from anything that he, Mr. Hutchins or Mr. Booth said to me, but simply the talks we had relative to the various labor organizations and his past and present political affiliations.

Q. Were you of the opinion that he belonged to the order of Videttes? A. I gathered that impression.

Q. Did you have any idea that he had socialistic or anarchistic tendencies? A.

No, sir; upon the other hand, he expressed to me opinions very strongly opposed to socialism and anarchism.

Q. He was then coöperating with you in the preparation of an article for publication; and, as the chairman of the central committee told you, in the employ of the committee? A. Yes, sir.

Q. And while he was so employed, he was not teaching anarchism; was a good republican then, wasn't he? A. No, sir; we had considerable discussion on the Henry George business.

Q. He was in favor of the single-tax plan? A. Yes, sir.

Q. Otherwise he was aiding and contributing to the republican political organization? A. He said to me, "I am opposed to this union labor party," giving his reasons. I asked him something about his connection with the republican party, and he said he could not give his own ideas on the subject.

The Committee adjourned to meet at 9 o'clock the following morning.

TOPEKA, Friday, March 27, 1891—9 o'clock A. M.

Committee convened pursuant to adjournment. A quorum present.

E. P. GREEN further testified, as follows:

Examined by Judge Webb: Q. I direct your attention to an issue of the *Non-Conformist* under date of September 22d, 1887, and to an article therein entitled, "Must have their blood." Please examine that article, and see if it is the one mentioned yesterday, to which you made reference, as proving the socialistic tendencies of the Vincents? [Witness examines the article.] A. That is one of the articles.

Q. Is it the first one appearing in their paper that attracted your attention in that direction? A. I do not think it is.

Q. Do you remember how long previous to the appearance of that article the other or first one was published? A. I cannot remember dates nor exact words with reference to their socialistic publications, but do remember that from the time I commenced reading their paper, such reading produced in my mind a very strong impression of their socialistic tendencies, and upon the appearance of denunciatory articles in their paper in reference to the judge and jury concerned in the trial of the Haymarket anarchists, I concluded they, the Vincents, were not only socialists, but anarchists as well.

Q. That you told me yesterday. I am directing your attention to the articles. I ask you whether there was any article before that to which I have called your attention? A. My impression is there was, but I cannot state definitely.

Q. What is the heading of the article in the column immediately to the left of that? [Pointing to an article on the third page, of the issue of the *Non-Conformist* of September 22, 1887.] A. "Moral Courage."

Q. Well, read the editorials in that paper, [referring to the same paper;] did you read that article that appears by its side in the same issue? A. I do not remember exactly; I remember reading in their paper, "Expressions of other people relative to the other theory."

Do you know the man Culver alluded to in that article, and whose words are said to be given there? A. I do not.

Q. The small paragraph or article that appears on the second page of the paper, isn't it? A. Yes, sir.

Q. The one to which I direct your attention? A. Yes, sir.

Q. Will you read that article? [Here witness reads the article, which was as follows:]

"A monopolist wants something for nothing. A communist wants the same thing. The former is protected by law, the latter is the most despised of all creatures of earth. Why protect the one and condemn the other? Every lover of good government should condemn both."

Q. Now I would ask you as a newspaper man if that is editorial? A. I should judge not.

Q. You think not? A. No, sir.

Q. Well, what is it? A. It may be a clipping; the editorial page is on the other side; it may be an editorial, and it may not be—I do not know.

Q. If it was a clipping from some other paper it would be credited to that paper, would it not? A. Yes, sir; I think that is the custom.

Q. It does not appear so in that paper, does it? A. No, sir.

Q. That and the second article to which I call your attention undertakes to give, *in hæc verba*, the language of Judge Culver? A. Yes, sir; the articles profess to give the opinion of Judge Culver.

Q. Just turn over, Mr. Greer, to the next issue of the paper, where a leaf is turned down to indicate the place? A. The issue of October 6th, 1887; that is the one is it?

Q. Yes, sir; I think so. I call your attention to the article entitled "Our Sentiments"—in reference to something—just read the heading. A. [Witness reads from paper the heading:] "Our Sentiments in Regard to the Condemned Anarchists."

Q. That appears in the paper of what issue—of what date, rather? A. Of October 6th, 1887.

Q. Is that one of the articles which you read, and which tended to convince your mind of the character of the editors of that paper? A. Yes, sir, that is.

Q. [Counsel hands witness a file of the *Winfield Courier* and calls his attention to an article appearing in the editorial column of the issue of October 24th.] Were you at that date the editor and publisher of the *Winfield Courier*? A. Yes, sir.

Q. Appearing upon the second page is an article headed, "A grave danger." I believe that is the proper heading, is it not? A. Yes, sir.

Q. I will ask you to state by whom that article was written? A. Written by myself.

Q. That was on the eve of an election pending the latter part of October, and the election of the early days of November? A. Yes, sir.

Q. Is that the first article written by you charging the Vincents with being anarchists? A. I do not think it was, sir.

Q. I wish you would find some other one. A. 'Twould take a good deal of searching.

Q. From the examination of that article, doesn't its tone and character clearly indicate that it is the first one upon that subject? A. No; I should not think it would clearly indicate that.

Q. From the inspection of it are you able to speak with definiteness, with some certainty, as to whether it is in fact the first one? A. That, Judge, is a difficult matter. I am not prone to charge men with grave misdemeanors against society without having very carefully examined into the facts. I know that my conclusion relative to the tendencies of the Vincents were formed long before this, but whether I expressed these conclusions in the columns of my paper I am not now able to state. The probabilities are that I did.

Q. Is it not true, Mr. Greer, that upon the eve of an election, in the midst of a political campaign, newspaper men are much more easily persuaded and readily convinced of the bad character and purposes of their opponents than they are at

other times? A. Their opponents generally exhibit their tendencies more clearly during a political campaign than at any other time, therefore, criminations and re-crimination are more freely indulged in.

By Mr. Carey: Q. What is the date of that paper? [Referring to the Winfield Courier last mentioned.] A. October 24th, 1887.

Q. Is it not a fact that usually newspaper men reserve the gravest charges until about the last issue of their paper before the election, in order that the opposite party, or the party accused, might not have a chance to refute them? A. That is a proposition that is generally considered, and a proposition which came up in relation to the Vidette expose. I have always decided that it is best to publish matters relative to or affecting a pending election, in sufficient time to allow the voters to know that a refutation can be prepared and brought before them.

Q. You are an exception to the general newspaper man in that line? A. I think not, in late years; it is best to give the people a chance on both sides. This has been proven by experience to the newspaper fraternity.

By Judge Webb: Q. And it was within two weeks after the publishing of that article that the election was to take place? A. Yes, sir.

Q. I will ask if, when that article was written and published in your paper, if the three Vincents were not, to your knowledge, in the state of Iowa, called there by the burning of their mother, from which she died? if they were not there attending the death-bed and funeral of their mother at the time you wrote that article? A. I do not know anything about that. I remember the circumstance of their mother having died, but I don't remember anything about the dates.

Q. I ask you, Mr. Greer, if it is not a fact, within your personal knowledge, that the three brothers, several days before this article was published, were called to Iowa on account of the condition of their mother, and did not return until after the election in November? A. I do not know whether they were there or not.

Q. Are you able to say whether they were at home in and about Winfield, for a week before or two weeks after that article was written and published? A. I will say that I had not been in the habit of keeping very close track of their whereabouts, and knew nothing of their presence or absence at the time the article was written and published.

[Counsel directs witness's attention to Exhibit No. 9.]

Q. When you were upon the stand before, your attention was directed to that paper, was it not? A. Yes, sir.

Q. I believe you then stated where and in whose possession you first saw that paper; do you remember that you did so state? A. I do not now remember.

Q. Will you now state where and when, and in whose possession you first saw it? A. My impression is that I first saw it among the papers on the table in Mr. Hutchins's room on the day that I went in there and met Mr. Henrie; but upon that point I am not certain. I have tried to refresh my mind since relative to it. The first time I remember distinctly of having seen this letter is when I received it in the mail from Mr. Hutchins about the date of the publication of the last expose.

Q. Is it one of the matters presented to you as the additional evidence upon the Vidette matter which Hutchins told you he had, upon the occasion of your first visit to this city upon the 12th of October, 1888? A. I do not know whether the letter was exhibited to me, or whether a statement was made to me regarding the letter. We had discussions relative to having a plate made of it; but it was one of the matters furnished me by Mr. Hutchins.

Q. In your conversation with Mr. Hutchins upon that occasion concerning the various matters in hand, did he inform you where he got that paper — tell you from whom he procured it? A. I think our conversation related to two papers, this and

the proceedings of the Yates Center meeting. In our conversation they were considered as a whole, and he told me he had found them. In answer to my question, he said, "I found them."

Q. Did he tell you where he found them? A. He did not.

Q. Did he tell you in whose possession he found them? A. He did not.

Q. Did he tell you by whom he was directed to look for them? A. No, sir; he did not.

Q. Do you know from any source what name was once in that instrument, at the place where a portion thereof has been removed? A. I have not the least information.

Q. I will ask if you did not know, as a fact, that it once contained in the now opening in the paper, the name of C. A. Henrie? A. No, sir; upon the other hand, I have repeatedly asked if his name was in there, and received no information from anyone.

Q. From whom did you inquire? A. I inquired of Mr. Hutchins and Mr. Henrie; I think I inquired of Mr. Booth—I do not remember.

Q. Now, if you saw the paper at all when you were here at Topeka on October 12th, 1888, you saw it in the possession of Mr. Hutchins? A. Yes, sir.

Q. In preparing the matters for publication you saw it or had it in your possession and control in company with Mr. Henrie? A. I am not certain about that, Judge; it seems to me the letter was sent off to have a plate made before I had seen it, because I remember of having a discussion as to how much space it would take in the center of the paper. I have no distinct recollection of having received that letter until I received from Mr. Hutchins the plate of it, and then the letter followed.

Q. You received from Hutchins the plate, and the letter followed in a communication from Henrie? A. No, sir; from Mr. Hutchins.

Q. Well, now, Mr. Greer, having recalled the circumstance to your mind, can you now say whether you did see the document itself before it came to you in a letter from Mr. Hutchins? A. I cannot state whether I did or not; it seems to me I saw it before I got it out of the mail, and yet I cannot recall the actual fact of having seen it.

Q. It was a subject of conversation between yourself and Hutchins and between yourself and Henrie? A. Yes, sir; it was.

Q. Did you inquire of each of these men from what source it was procured? A. Yes, sir.

Q. Upon that subject what did Hutchins say when you asked him? A. He said, "I found it."

Q. Upon that subject what did Henrie say? A. He said, "I do not know."

Q. Henrie said he did not know? A. Yes, sir.

Q. [Counsel calls witness's attention to certain articles marked on the margin in the issue of the *Courier* of October 18th, 1888.] You have noticed the article to which your attention is directed? A. Yes, sir.

Q. Is it editorial? A. Yes, sir.

Q. Written by whom? A. By myself, I think.

Q. With reference to the day of the Coffeyville explosion, when was that article published? A. On the same day.

Q. Before or after you knew of the explosion? A. Before.

Q. Mr. Greer, do you know Dr. Emory, of Winfield? A. Yes, sir.

Q. Did you know him in the fall of 1888? A. Yes, sir.

Q. Do you remember of having been at any time along about the 9th or 10th, perhaps as early as the 8th of October—I will put it the 8th, 9th, or 10th of October, at

a late hour in the evening in at the restaurant or business place of the witness Volney Beard, when Doctor Emory came in and had some conversation with you? A. I do not remember; I was in the witness Beard's place of business several times. It occurs to me that at some time I have met and spoken to Doctor Emory in there, but I cannot remember the date.

Q. For the purpose of trying to aid you in your recollection, do you remember the circumstance of him telling the condition in which he had found the distinguished aspirant for the legislature who was known as the union labor candidate, when he was returning from some visit he had made in the country? The unfortunate condition in which he found the candidate? A. I do remember something about that.

Q. You remember that conversation was in at the place of Mr. Beard? A. I do not remember where that was, or exactly when it was; it must have been along in that month.

Q. Are you sufficiently distinct in your remembrance as to be able to state whether it was in the day- or night-time you had the conversation with him? A. No, sir; I am not. I could not be able to say.

Q. You remember the fact of the conversation? A. I remember the fact of Doctor Emory having told me about meeting this gentleman, and about his peculiarly unfortunate condition at the time he met him. I remember that quite distinctly. As to the time or place where that conversation occurred, I cannot call to mind.

Q. But your recollection is that it was along sometime in the month I have mentioned? A. It was during that campaign, I know.

By Mr. Henderson: Q. Did you not in your paper dated October 18, 1888, use the following language: "If our dynamite friends imagine that our sources of information are exhausted, they would do well not to act upon such premises. As the leaders well know, there is more to be told, and we have the material at hand not only to tell, but to prove"? A. Yes, sir, I used that language.

Q. The words, "Is more to be told," and "but to prove," are in italics; did you write that article? A. Yes, sir.

By Mr. Curtis: Q. Mr. Greer, was not your conversation with Governor Humphrey about replying to the charges of the Vincents in 1889, and before you published your reply in the *Courier*? A. It was before publishing the reply; I had an idea it was in 1890; probably it was in 1889. I guess it was; yes, sir, it was in 1889.

Q. How long were you with Mr. Henrie in the preparation of the second expose that was published? A. I think I was with him most of one afternoon, and part of one evening.

Q. Was the article finished up while you were in the room with Mr. Henrie? A. No, sir; it was not.

Q. In writing the article, the editorial you published in your paper in which reference is made to the *American Non-Conformist*, or the editors of that paper, you wrote generally in reply to articles you saw in their paper, or something you took from there without reference to where they were, or without making inquiries if they were in the city? A. I did not pretend to keep track of their whereabouts; it was their opinion I tried to keep track of.

Q. In answer to Judge Webb, you stated certain reasons why you denounced the Vincents as anarchists. Now, if you have any further reasons to give why you denounced the Vidette order as a treasonable, anarchistic, and revolutionary order, and the Vincents as anarchists, you will please state them. A. In examining the ritual of the National Order of Videttes, I found that the oath read as follows:

"I solemnly swear, without evasion or mental reservation, never to reveal to any human being, except a m/c'ader, or by order of this council, anything that I may see or hear while assembled in bivouac, or any other secrets of our order, or the existence of the same; that I will always implicitly

obey the orders of this council, and the officers thereof, which do not conflict with my duty to God and my family, and the letter and spirit of our declaration of purposes."

I discovered that this declaration of purposes, and oath especially, omitted the power to refuse orders which the candidate might receive in conflict with the constitution and laws of his country—an evasion which I have never known in the oath of any organization heretofore. This to my mind was treasonable. I further found in the declaration of purposes and ritual the following statement:

"Military instead of civil form of organization is adopted for the following reasons: We have powerful and bitter enemies to encounter that will fight us to the death. Vidette is appropriate, it being your principal duty to watch with untiring vigilance the movements of the enemy, and, unobserved by him, summon your council to thwart his aims. In the council time is given for counsel, plans are laid for execution, forces are equipped and drilled for operation."

In further considering the character of this organization as set forth in its ritual, observe the following:

"The last three signs are made thus: — — —; and typify the solemn oath you have sworn: that, as our captain, whom we have vowed implicitly to obey, seemed on the point of betraying the secrets of our order to an unauthorized person, we draw our swords to guard our secrets at the peril of his life and our own. This signifies to us that our principles are paramount to all else, and no person, however beloved, no authority, however sacred, may dare to infringe upon the principles of our order laid down in our constitution, or threaten the mysteries which bind us together."

This part of the declaration appeared especially to my mind as binding by the strongest language possible, the candidate, to the observation of the orders given him by the officers of this order, notwithstanding that they might conflict with the constitution and laws of his country; this I regard to be the very principal element of treason. Further, I observed that the declaration of purposes was patterned after, and founded upon the Declaration of Independence, which I consider to be one of the most revolutionary documents ever issued or ever formulated by any people in the history of the world; and founding an organization upon that declaration implies the statement that conditions to-day are as ripe and necessary for revolution as the conditions which brought about the Declaration of Independence. I needed no stronger evidence of the treasonable and revolutionary character of this organization than the facts I have stated above.

By Judge Webb: Q. You read from the obligation which the candidate takes upon being initiated, a pledge of fidelity to his God and his family, and the declared purposes of the order, and now, what are the declared purposes of the order? A. Revolution.

Q. Where do you find that? A. From the Declaration of Independence copied therein, as the declaration of this organization.

Q. The Declaration of Independence? A. Yes, sir.

Q. You understood then that the obligation bound a candidate to that course of conduct which was consistent with obedience to God, duty to his family, and respect of the principles of the Declaration of Independence? A. Yes, sir.

The witness was excused.

Committee adjourned until two o'clock P. M.

TOPEKA, Friday, March 27—2 o'clock P. M., 1891.

Committee convened pursuant to adjournment. A quorum present.

D. O. McCray, being recalled for further examination, testified as follows:

Examined by Mr. Dawes: Q. State your name. A. D. O. McCray.

Q. Where do you reside? A. Topeka, Kansas.

Q. How long have you lived in Topeka? A. About four years.

Q. What has been your business or vocation? A. Part of the time I was associate editor of the *Capital*.

Q. Until about what time? A. First of June, 1889.

Q. Since which time you have been engaged at what? A. I have been holding the position of executive clerk in the governor's office.

Q. Then in October, 1888, you were doing editorial work upon the *Topeka Capital*? A. Yes, sir.

Q. Do you know C. A. Henrie, of Topeka? A. I do.

Q. You may state to the Committee if you know where he was on the 18th day of October, 1888? A. He was in Topeka.

Q. Please explain to the Committee how you know that. A. I met him two or three times during that day.

Q. Where? A. In the editorial room of the *Daily Capital*.

Q. Is there any fact or circumstance in connection with your meeting with him that tends to fix the date in your memory? A. Yes, sir.

Q. Please state what that is. A. On the 18th day of October, 1888, I assisted in the preparation of an expose of the Videttes, for publication on the following day. During that day Mr. C. A. Henrie was in the *Capital* office at two different times to my certain knowledge.

Q. You may state to the Committee whether or not Mr. Henrie was assisting you in the preparation and arrangement of that matter. A. He was.

Q. What time of day did you see him at the *Capital* office? A. My recollection is, I first saw him about 9 or 9:30 o'clock in the morning; I again saw him in the afternoon between 3 and 4 o'clock, or about that time.

Q. What is there that fixes the time "three or four o'clock" in your mind? A. He came to the office to assist me in the proper make-up of the matter concerning the expose of the Videttes, to prepare a heading for the article, and to look over the proofs.

Q. Was that prior to going to press? A. No, sir; that was during the day.

Q. Of the 18th? A. Yes, sir.

Q. Do you know F. H. Betton? A. I do.

Q. Do you know where he has his office? A. I do.

Q. Where is it? A. In the basement of the west wing of the capitol building, northwest corner.

Q. Was he connected with the labor bureau of this state in 1888? A. Yes, sir.

Q. Was he also in June, July and August, of 1890? A. Yes, sir.

Q. You may state if during or within the months mentioned, you went to the labor bureau at any time for the purpose of seeing C. A. Henrie, concerning the making of some affidavits? A. I did go to see Mr. Henrie, but I am not positive as to the month or year.

Q. For what purpose did you go? A. I went at one time when he was not present; I went a second time and found him, and gave him some affidavits which he had handed me the day previous, to look over.

Q. Did you look over them? A. I did.

Q. What was the nature of those affidavits? A. As I remember, they were affidavits made by two or three parties, showing the whereabouts of C. A. Henrie at, on, or about the date of October 18th, 1888.

Q. Could you state for whom the affidavits had been prepared? that is, who was to swear them? A. I remember the affidavit of one party in Topeka, but I just now cannot recall the name, and I am not certain as to the other.

Q. Was it Mr. J. K. Coddington? A. I think it was; but he does not live in Topeka.

Q. Was the gentleman who resided in Topeka named Cummings? A. Yes, sir.

Q. I believe I understood you to say that you read the affidavits? A. Yes, sir.

Q. If you can name the other one, please do so. A. I cannot remember the name; but I think it was a lady living in Topeka, with whom Mr. Henrie was living at that time, in the house adjoining; a neighbor of his, as I best remember.

Q. I will ask you to look over this paper and state whether or not that is one of the affidavits [handing witness a paper]. A. To my best recollection it is.

Mr. Dawes said that he desired to call the attention of the committee, in this connection, to the fact that there is no printed matter on this affidavit. The affidavit was offered in evidence, marked "Exhibit 37," and was as follows:

[EXHIBIT 37.]

TOPEKA, KANSAS, June 24, 1889.

I, J. F. Cummings, the undersigned, am personally acquainted with C. A. Henrie, having known him for a year or more; saw him here frequently during the months of October and November, and on the evening of October 18th, 1888, met him at the Grand Opera House in Topeka. At that time I was business manager of the *Daily Sunflower*, published in North Topeka, Kansas. That evening I engaged Mr. Henrie to report Hon. David Overmyer's speech that evening; Mr. Henrie agreed to do it, and I left him engaged in taking notes between 9 and 10 P. M., and received his report at the Windsor the next day, October 19.

JOHN F. CUMMINGS.

Subscribed and sworn to before me, this 25th day of June, 1889.

W. F. STERNZ, Clerk.

By S. S. CURTIS, Deputy Clerk.

Q. I will ask you to state, Mr. McCray, whether you prepared, or assisted in the preparation of any of the affidavits that you received from Mr. Henry, or delivered to him? A. I did not.

Q. I believe you stated that you received them from Mr. Henrie? A. Yes, sir.

Q. Were any of the affidavits in the handwriting of Governor Humphrey? A. No, sir.

Q. Were any of them prepared in the governor's office? A. No, sir.

Q. Was there any printed matter in any of these affidavits? A. No, sir; not to my knowledge.

Q. Did any of them consist of a blank printed form of an affidavit, with written matter filled in the blanks? A. No, sir.

Q. I will ask you to look at this affidavit [handing witness another paper], Mr. McCray, refresh your memory therefrom, and state whether or not that is one of the affidavits? A. As I now remember, that is one of them.

Q. An affidavit signed by C. A. Henrie? A. Yes, sir.

[The paper was here offered in evidence, the paper last identified by Mr. McCray, and was marked Exhibit 38.]

Mr. Henderson objected to the introduction of the paper in evidence, for the reason that the same had not been identified as the original affidavit of C. A. Henrie, or the original of the affidavit, which was then a part of the written record, found on page 210.

After hearing arguments of counsel for and against the objection, Mr. Carey said: The objection to the admission of this testimony seemed to have been made upon the idea that it might possibly have been fraudulent. It must be remembered that we have admitted as testimony an affidavit that is positively a mere acknowledged paper because we understand that the handwriting cannot be transferred to print without becoming a copy, and if this is a copy, it seems to me it is as competent as the other, if the originality of the other can be established. I cannot say that it quotes the paper as a part of this testimony, because we have no positive proof that it is not a copy, but we have this thing to be positive of, as to its being the original: it has the seal of the court of Shawnee county. If it is not the original affidavit, then the clerk of the court has attached his seal to a fraudulent affidavit, or a copy of an original which is some place in existence; and that proposition is not

to be entertained by the chairman of the Committee. So my decision is, that the affidavit can be admitted with the other upon the ground as I stated as that is the one already admitted as a part of the record.

The Committee concurred in the ruling of the chairman, and thereupon the affidavit was read in evidence, and was as follows:

[EXHIBIT No. 38.]

STATE OF KANSAS, COUNTY OF SHAWNEE, ss.

C. A. Henrie, of lawful age, being duly sworn, says: I am a resident of Topeka, Shawnee county, Kansas, and have been a resident of said city for the past year and more.

Have read charges and insinuations as published by the Vincent Bros., in the *Non-Conformist*, a weekly newspaper published at Winfield, Cowley county, Kansas, connecting me as a participant in what is commonly known as the "Coffeyville dynamite explosion," which occurred on or about October 18, 1888.

Said C. A. Henrie further says that such charge or charges, direct or indirect, so far as they concern or refer to him, are entirely and absolutely false. That he never was in Coffeyville in his life; that he never had any consultation or communication, direct or indirect, with E. P. Greer, or George W. Poorman, either before or after the aforementioned "Coffeyville dynamite explosion," concerning said explosion. That he was at his home in Topeka, for days preceding and following said explosion, which was on the before-written date; that he never did nor does not now know anything about said explosion, except what he has read in the public prints.

And further, deponent says not.

C. A. HENRIE.

Subscribed in my presence, and sworn to before me, this 5th day of August, 1889.

W. E. STRENE, Clerk of District Court, Shawnee county, Kansas.

Q. You may state, Mr. McCray, if you remember the fact of Mr. W. P. Hackney and Ed. P. Greer and Governor Humphrey having a conference here in Topeka on or about the 4th of July, 1889? A. I remember of a conference that these gentlemen had, but I am not certain as to dates.

Q. Was it about that time? A. I think it was in 1889, sometime in the summer, during the month of June or July; I am not certain as to dates.

Q. Now, do you know how it happened that Mr. Greer came to Topeka at that time? A. Mr. Greer came to Topeka probably several times during that year; I think he came at that time in response to a letter from myself.

Q. What was the object of that conference? A. To talk over matters concerning the Coffeyville explosion.

Q. For what purpose? A. For the purpose of preparing and publishing a refutation of the charges made by certain papers declaring that the republican party and the republican state central committee were responsible for the explosion.

Q. What paper in particular was mentioned in that conference as having made such charges? A. The Winfield *Non-Conformist*.

Q. Published by whom? A. Vincent Brothers.

Q. Had Governor Humphrey's name been mentioned in these charges? A. I think it had.

Q. Now, with reference to this conference between Hackney, Greer, and the Governor, when was it that you went to the labor bureau to see Mr. Henrie? A. I cannot be positive as to the time, whether before or after.

Q. Was it at or about that time? A. Yes, sir; it was near that time.

Q. How long before you prepared the affidavits for Mr. Henrie was it that he gave them to you first? A. To the best of my knowledge, he gave them to me the day before I returned them to him.

Q. At what place did he give them to you? A. I cannot be positive as to that.

Q. Was it at the labor bureau? A. I am not certain.

Q. At the time the affidavits were delivered to you by Henrie, what conversation, if any, occurred between you? A. I do not not remember now. I presume we had some conversation, but I cannot repeat it.

Q. Now you may state whether, at the time the affidavits were delivered to you by Henrie, or at the time that you gave them back to him, or at any other time or place, you used any threats, or other means of intimidation, persuasion, or otherwise, to compel Mr. Henrie, or any other person, to subscribe and swear to these affidavits? A. I did not.

Q. Was there anything of that nature took place between you? A. No, sir.

Q. Did you at any time demand of Mr. Henrie or any other person at the labor bureau, any particular kind or description of an affidavit to be made? A. I did not.

By Mr. Henderson: Q. You have resided in the city of Topeka, you say, about four years? A. Yes, sir.

Q. Where did you reside immediately before coming to Topeka? A. At Leavenworth.

Q. You were associate editor of the *Daily Capital*, a newspaper published and circulated in the city of Topeka? A. Yes, sir.

Q. When did you cease your duties as such associate editor? A. About the first of June, 1889.

Q. Then you became the private secretary of Governor L. U. Humphrey, of this city? A. No, sir.

Q. Executive clerk? A. Yes, sir.

Q. You have remained in that position ever since? A. Yes, sir.

Q. You know C. A. Henrie, you said? A. Yes, sir.

Q. You have known him how long? A. About three years.

Q. Did you know him in 1888? A. Yes, sir.

Q. Where did you first become acquainted with him? A. In Topeka.

Q. When? A. Some time in the fore part of that year.

Q. You mean thereby, sometime between the first day of January, 1888, and the first of June the same year? A. Sometime in 1888; probably nearer June than January.

Q. About when? A. I do not know, sir.

Q. Can you now call to mind the first time you ever met him? A. I have met him in and about the *Capital* office during that year.

Q. Will you please answer my former question? A. I cannot tell the first time and place.

Q. Do you remember any peculiar circumstance in connection with your first acquaintance with Mr. Henrie? A. I met him at the republican state central committee headquarters during the fall of that year.

Q. Is that the first time that you now can call to mind that you met Mr. Henrie? A. I cannot recall any specific time or date.

Q. Is it not a fact that the first time you ever met Mr. Henrie was at the headquarters of the republican state central committee, at the Windsor hotel in the year 1888? A. I am not certain as to that.

Q. Do you say that such is not a fact? A. I say, sir, that I cannot now recall the time when I first met him.

Q. Can you call to your mind now any particular time that you met Mr. C. A. Henrie during the year 1888? A. Yes, sir.

Q. What time? A. I met him on the 18th day of October.

Q. Do you remember whether or not you met him on the 17th day of October of the same year? A. I do not remember.

Q. Do you remember whether or not you met him at any date prior to the 18th? A. Yes, sir; I believe I had.

Q. When and where? A. I cannot fix a date.

Q. Can you approximate any date or place? A. Yes, sir; I had met him during

that year, prior to that time, in the *Capital* office, but the day or month I cannot state.

Q. Can you give any circumstance, or any transaction that transpired in his presence, at any time you met him, prior to the 18th day of October, 1888? A. I remember one time I met him; it was at a public meeting at Music Hall, in the *Capital* block.

Q. When was that? A. I do not remember the date.

Q. What year? A. I think it was the year that Doctor McGlynn, of New York, made a speech; I saw him afterwards.

Q. Do you remember the night of that speech? A. No, sir; I cannot fix the date.

Q. Were you at that time acquainted with him? A. Yes, sir; I had met him.

Q. Do you remember the time when you first became acquainted with him? A. I think it was probably in September or October of that year.

Q. Do you remember when Doctor McGlynn spoke here in the city of Topeka? A. I remember the occasion; I do not remember the date.

Q. Was it September or October? A. I do not know.

Q. Was it not in August? A. I do not know.

Q. Now, you state to the Committee that you are positive of the fact that you met Mr. C. A. Henrie on the 18th day of October, 1888, did you not? A. Yes, sir.

Q. What took place upon that date that causes you to state with such particularity as to your meeting with Mr. Henrie? A. Referring to my former answer, Mr. Henrie came to the *Capital* office sometime during the forenoon of that day to look over the proofs and to help arrange an article covering a page of the *Capital* concerning an organization known as Videttes.

Q. Don't you know, sir, that that was on the 15th day of October? A. I do not, sir.

Q. What is the old gentleman Baker's name? A. F. P.—Floyd P. Baker.

Q. You were acquainted with him in 1888? A. Yes, sir.

Q. Now, don't you know as a fact, Mr. McCray, that that entire matter, that expose that you spoke of, was set up in the state printing office of this city? A. No sir; I am not positive of that.

Q. Don't you know, sir, that the entire subject-matter of that publication was completed and prepared and delivered to the state printer on the morning of the 16th day of October, 1888? A. No, sir; I do not know as to that date.

Q. And do you not know that Bion Hutchins, C. A. Henrie, Clifford Baker and yourself prepared the subject-matter in the rooms of the republican state central committee? A. I do not know it, sir.

Q. You do not? A. No, sir.

Q. Do you say that such is not a fact? A. I do not think I had any connection with the preparation of that matter.

Q. Then why is it that your attention was so easily directed to the fact that you met Mr. Henrie on the 18th day of October, 1888? A. Because of the preparation on the 18th—the preparation of the matter in making it up, and preparing a heading, and in publishing it on the 19th.

Q. Don't you know that it was already prepared, set in type, proof read, approved and corrected on the morning of the 17th day of October, 1888? A. I know it was prepared, I understood it was stereotyped; but I am speaking now of the preparation of the matter ready for publication from plates; from column plates and from a solid plate. I am not speaking of setting up the type.

Q. What preparation do you mean? A. The making up of the forms.

Q. It had been stereotyped? A. I think it had.

Q. Don't you know it had? A. I think it was.

Q. Don't you know that it was done on the 18th day of the month? A. No, sir; I don't.

Q. When was it done? A. I do not know, sir.

Q. What were you and Henrie doing on the 18th? That is what I want to know.

A. Mr. Henrie had been connected, I understood, with the preparation and composition of that matter prior to that time.

Q. Who told you so? A. I do not remember that anybody told me.

Q. How did you understand it, then, unless you had received information from some source? A. I do not know but that I received it from him.

Q. When did you receive the information? A. On the 18th, as I now remember it.

Q. You now say to this Committee that you remember having received that information on the 18th day of October? A. I want to state that Mr. Henrie called at the *Capital* office on the 18th day of October, in the forenoon.

Q. Will you answer my question? A. I will, if you will put it so I can; yes, sir.

Q. Do you remember where you were on the 17th day of October? A. I suppose I was at the *Capital* office.

Q. Well, do you remember? A. If it was not Sunday, I was at the *Capital* office.

Q. Was it Sunday? A. I do not think it was.

Q. Well, then, where were you on the 17th day of October, 1888? A. To the best of my knowledge I was at the *Capital* office.

Q. What did you do on that day? A. To the best of my knowledge I did my regular day's work.

Q. Do you remember any particular person who called at the office that day? A. No, sir, I do not.

Q. Do you remember of any particular person on the 16th? A. No, sir, I do not.

Q. Do you remember of any particular person that called at the office on the 19th? A. No, sir, I do not.

Q. But you do state to this Committee, and wish to be understood then as saying that you remember distinctly that C. A. Henrie called at the *Capital* office on the morning of the eighteenth day of October, 1888? A. Yes, sir, in the forenoon.

Q. What kind of a day was it? A. I do not know what kind of a day.

Q. Do you remember any distinguished gentleman that called there during that forenoon? A. I think Mr. Bion Hutchins called on one of the days you have mentioned.

Q. Which day? A. I do not know.

Q. Did he call on the 18th? A. I think he did; to the best of my knowledge, he did.

Q. Was he in company with Henrie? A. I do not know.

Q. Did anyone call with Mr. Henrie? A. I do not remember of anyone calling with him.

Q. Was Governor Humphrey with him? A. No, sir.

Q. You are certain of that? A. Yes, sir.

Q. Was Bill Higgins with him? A. No, sir.

Q. Was any person with him? A. I cannot swear as to that.

Q. What is your best recollection about it? A. My best recollection is that there was no one with him.

Q. Was there anybody else in the office when he called, beside yourself? A. I do not remember that.

Q. Do you remember what part of the building you were in when he called? A. In the northwest corner of the second floor.

Q. How far from the corner? A. It was a corner room.

Q. What is the shape of the room? A. It is square—not exactly square; the corner is round.

Q. Do you remember of being there on the 18th day of October? A. Yes, sir.

Q. Do you remember distinctly that Mr. Henrie called there upon that day? A. Yes, sir.

Q. You remember you were there alone? A. I think I was.

Q. Do you remember the conversation that took place between yourself and Mr. Henrie there at that time? A. I remember some conversation that we had.

Q. Do you remember all of the conversation? A. No, sir.

Q. Do you remember who called at the office or room in which you were immediately before Mr. Henrie called? A. I do not remember that anyone did.

Q. Do you remember of any person, regardless of distinction, calling in that office that day, other than Mr. Henrie? A. Yes, sir; the foreman of the office was in the room during the day.

Q. Was he there at the time Henrie was there? A. Not to my knowledge.

Q. Do you now state to the Committee that no person was present at the time Mr. Henrie was in the office? A. No, sir; I did not make such a statement.

Q. Now, then, I will ask you again, what was he there for, what did he call for? A. He called to see about the arrangement in the forms of the matter alluded to in my former testimony.

Q. Are you now able to state the substance of the conversation that took place between you and Mr. Henrie upon the occasion you have named? A. We talked about the matter to be published the following morning in the *Daily Capital* known as the expose of the National Order of Videttes; we talked about the preparation of a display heading for that article.

Q. The whole business had been stereotyped, had it not? A. I think it had.

Q. And it was stereotyped on the 16th day of the month, was it not? A. I do not know as to that.

Q. Don't you know? A. No, sir, I do not, and I said before that I did not.

Q. Do you know that it had been all stereotyped prior to the morning of the 18th? A. I had heard it was; but I do not know it, and I will not state it as a fact.

Q. I will ask you to state to the Committee [handing witness Exhibit 17] if it is not a fact that the entire matter of the expose had been prepared prior to the 18th day of October, 1888? A. That heading was prepared and set up in type in the *Capital* office on the 18th day of October, 1888.

Q. Are you certain about that? A. I am certain as to the heading, yes, sir.

Q. Now, I will ask you to state if it is not a fact that that heading was set up in Mr. Baker's office? A. No, sir.

Q. Tell what you include in the heading—tell how much of that is heading. A. From the word "Anarchy," down to the word "Vidette," appearing just before the word "special" in the display matter.

Q. Is it not a fact that that heading is the same that appeared in Mr. Greer's paper in the evening of October 18th, 1888? A. I am not positive, but I think not.

Q. You think not? A. No, sir.

Q. Is that the only reason that you can give to this Committee for your assertion that Mr. Henrie was in Topeka on the 18th day of October, 1888? A. Mr. Henrie talked with me also about the preparation of an editorial for the issue of the morning following.

Q. Was not that talk, with reference to an editorial to which you refer, had between you and Mr. Henrie on the morning of the 16th day of October, immediately before he left for the train going to Kansas City? A. No, sir.

Q. You are positive about that? A. Yee, sir.

Q. Don't you know that it was done on the 16th day of the month? A. No, sir; I don't.

Q. When was it done? A. I do not know, sir.

Q. What were you and Henrie doing on the 18th? That is what I want to know.

A. Mr. Henrie had been connected, I understood, with the preparation and composition of that matter prior to that time.

Q. Who told you so? A. I do not remember that anybody told me.

Q. How did you understand it, then, unless you had received information from some source? A. I do not know but that I received it from him.

Q. When did you receive the information? A. On the 18th, as I now remember it.

Q. You now say to this Committee that you remember having received that information on the 18th day of October? A. I want to state that Mr. Henrie called at the *Capital* office on the 18th day of October, in the forenoon.

Q. Will you answer my question? A. I will, if you will put it so I can; yes, sir.

Q. Do you remember where you were on the 17th day of October? A. I suppose I was at the *Capital* office.

Q. Well, do you remember? A. If it was not Sunday, I was at the *Capital* office.

Q. Was it Sunday? A. I do not think it was.

Q. Well, then, where were you on the 17th day of October, 1888? A. To the best of my knowledge I was at the *Capital* office.

Q. What did you do on that day? A. To the best of my knowledge I did my regular day's work.

Q. Do you remember any particular person who called at the office that day? A. No, sir, I do not.

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Q. Do you remember of any particular person that called at the office on the 19th? A. No, sir, I do not.

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Q. What kind of a day was it? A. I do not know what kind of a day.

Q. Do you remember any distinguished gentleman that called there during that forenoon? A. I think Mr. Bion Hutchins called on one of the days you have mentioned.

Q. Which day? A. I do not know.

Q. Did he call on the 18th? A. I think he did; to the best of my knowledge, he did.

Q. Was he in company with Henrie? A. I do not know.

Q. Did anyone call with Mr. Henrie? A. I do not remember of anyone calling with him.

Q. Was Governor Humphrey with him? A. No, sir.

Q. You are certain of that? A. Yes, sir.

Q. Was Bill Higgins with him? A. No, sir.

Q. Was any person with him? A. I cannot swear as to that.

Q. What is your best recollection about it? A. My best recollection is that there was no one with him.

Q. Was there anybody else in the office when he called, beside yourself? A. I do not remember that.

Q. Do you remember what part of the building you were in when he called? A. In the northwest corner of the second floor.

Q. How far from the corner? A. It was a corner room.

Q. What is the shape of the room? A. It is square—not exactly square; the corner is round.

Q. Do you remember of being there on the 18th day of October? A. Yes, sir.

Q. Do you remember distinctly that Mr. Henrie called there upon that day? A. Yes, sir.

Q. You remember you were there alone? A. I think I was.

Q. Do you remember the conversation that took place between yourself and Mr. Henrie there at that time? A. I remember some conversation that we had.

Q. Do you remember all of the conversation? A. No, sir.

Q. Do you remember who called at the office or room in which you were immediately before Mr. Henrie called? A. I do not remember that anyone did.

Q. Do you remember of any person, regardless of distinction, calling in that office that day, other than Mr. Henrie? A. Yes, sir; the foreman of the office was in the room during the day.

Q. Was he there at the time Henrie was there? A. Not to my knowledge.

Q. Do you now state to the Committee that no person was present at the time Mr. Henrie was in the office? A. No, sir; I did not make such a statement.

Q. Now, then, I will ask you again, what was he there for, what did he call for? A. He called to see about the arrangement in the forms of the matter alluded to in my former testimony.

Q. Are you now able to state the substance of the conversation that took place between you and Mr. Henrie upon the occasion you have named? A. We talked about the matter to be published the following morning in the *Daily Capital* known as the expose of the National Order of Videttes; we talked about the preparation of a display heading for that article.

Q. The whole business had been stereotyped, had it not? A. I think it had.

Q. And it was stereotyped on the 16th day of the month, was it not? A. I do not know as to that.

Q. Don't you know? A. No, sir, I do not, and I said before that I did not.

Q. Do you know that it had been all stereotyped prior to the morning of the 18th? A. I had heard it was; but I do not know it, and I will not state it as a fact.

Q. I will ask you to state to the Committee [handing witness Exhibit 17] if it is not a fact that the entire matter of the expose had been prepared prior to the 18th day of October, 1888? A. That heading was prepared and set up in type in the *Capital* office on the 18th day of October, 1888.

Q. Are you certain about that? A. I am certain as to the heading, yes, sir.

Q. Now, I will ask you to state if it is not a fact that that heading was set up in Mr. Baker's office? A. No, sir.

Q. Tell what you include in the heading—tell how much of that is heading. A. From the word "Anarchy," down to the word "Vidette," appearing just before the word "special" in the display matter.

Q. Is it not a fact that that heading is the same that appeared in Mr. Greer's paper in the evening of October 18th, 1888? A. I am not positive, but I think not.

Q. You think not? A. No, sir.

Q. Is that the only reason that you can give to this Committee for your assertion that Mr. Henrie was in Topeka on the 18th day of October, 1888? A. Mr. Henrie talked with me also about the preparation of an editorial for the issue of the morning following.

Q. Was not that talk, with reference to an editorial to which you refer, had between you and Mr. Henrie on the morning of the 16th day of October, immediately before he left for the train going to Kansas City? A. No, sir.

Q. You are positive about that? A. Yes, sir.

Q. You assisted, did you not in the preparation of the so-called Vidette expose published on the 18th day of October? A. No, sir.

Q. Did you not so state in your examination-in-chief? A. No, sir; I said I assisted in the make-up of it—in the preparation of the head, preceding the expose proper.

Q. That is what you wish to be understood as now saying? A. Yes, sir.

Q. I will ask you to state, Mr. McCray, when you first saw that exhibit, or affidavit? [Calling witness's attention to Exhibit 38.] A. I do not remember the date—no, sir.

Q. About when, with reference to the dates that have been sworn to? A. I will say, to the best of my knowledge, it was somewhere about that date.

Q. Where were you when you first saw that affidavit? A. I am not positive as to that—whether it was on the street, in the corridors of the state house, or in my office.

Q. Was anyone present with you and Mr. Henrie at the time you first saw the exhibit I have handed you? A. I do not remember of anyone being present, except him.

Q. Do you remember any conversation that took place between yourself and Mr. Henrie, upon that occasion? A. No, sir; none except the conversation about the affidavits; and Mr. Henrie seemed to be anxious to make the affidavit, and to have it published, and to be exonerated from the charges made against him.

Q. Do you remember the conversation that took place between you and Henrie at that time? A. No, sir; I cannot state except in a general way, as I have stated.

Q. He handed you the affidavit, did he not? A. Yes, sir.

Q. Do you remember why he gave you the affidavit? A. He wanted me to look it over and see what I thought of it.

Q. Do you remember how long you retained that affidavit in your possession? A. I think one day.

Q. Can you remember of having a conversation with the governor in reference to the contents or subject-matter contained in the affidavit? A. I do not think I did.

Q. Do you say to this Committee that you did not have such conversation with the governor? A. I might have had such conversation with him; but I will not swear that I did.

Q. At the time you had examined the affidavit, did you make any suggestion to Mr. Henrie as to any amendment or erasure to be made in the affidavit? A. No, sir.

Q. Is that the original affidavit handed you by Mr. Henrie? A. To the best of my knowledge it is.

Q. In whose handwriting is it? A. Mr. Henrie's handwriting.

Q. Do you know who prepared the form from which he copied that? A. No, sir.

Q. Is it not a fact that you prepared it yourself? A. No, sir.

Q. Is it not a fact that he copied the affidavit that you gave him, and he handed that to you with the erasures therein, subject to your approval and that of the governor? A. No, sir.

Q. You do not pretend to say that you did not have a conversation with the governor, with reference to the contents of that affidavit? A. I had several conversations with the governor, but I am not certain of having a conversation with the governor with reference to that particular affidavit.

Q. You say that you did not? A. I say I have no recollection of having a conversation with the governor with reference to this particular affidavit.

Q. You may have had such conversation? A. Yes, sir.

Q. But you cannot now call the same to mind? A. No, sir.

Q. After you had examined the affidavit, what did you then do with it? A. I gave it to Mr. Henrie.

Q. At what place? A. At the labor bureau.

Q. How many visits did you make to the labor bureau before you succeeded in finding Mr. Henrie? A. I made two, to the best of my knowledge.

Q. Who was in the office at the time you first visited the labor bureau? A. I think Mrs. Cougher was in the office.

Q. Anyone else? A. I am not certain.

Q. Did you have any conversation with her upon that occasion? A. I did not.

Q. Did you make any inquiries as to the whereabouts of Mr. Henrie? A. I think I did.

Q. Then you had some conversation with her? A. That is all.

Q. How many papers did you have in your possession at that time in the form of affidavits? A. I will not be positive, but I think I had three.

Q. That was the affidavit marked Exhibit 38, also the affidavit of one Mrs. Lucy Barlow, and of J. F. Cummings; these are the affidavits you had in your possession? A. To the best of my knowledge and belief, they are.

Q. At the time Mr. Henrie handed you his own affidavit for inspection, he handed you in addition thereto the affidavits of Mr. Cummings and Lucy Barlow? A. As I now remember, that is true.

Q. What did he give them to you for? A. To look over.

Q. For what purpose? A. To see if I thought they were properly drawn, I presume; I do not know what else.

Q. Do you remember a conversation you had with him at that time? A. I remember that he handed them to me and spoke about them, but I cannot recall his exact words.

Q. Do you tell this Committee you don't remember what Mr. Henrie said to you, at the time he handed you this paper? A. He told me to look them over and see if they were all right.

Q. Did you know at that time what was required? A. No, sir.

Q. Did you tell him after you looked them over they were all right? A. I told him I saw nothing wrong about them.

Q. Is that all you said? A. That is all I remember of saying.

Q. Is that all you said? A. I do not know, sir.

Q. Who was present at the time you handed him those three affidavits? A. I cannot be positive; I think Mr. John Cougher was there.

Q. Who else? A. I am not positive.

Q. Was Mrs. Cougher there? A. I think she was, although I will not be positive.

Q. At the time Henrie handed you these affidavits, was that the first conversation you ever had with him with reference to the necessity of his swearing to the fact that he was in Topeka on the 18th day of October, 1888? A. No, sir.

Q. When was the first conversation you had with him upon that question? A. Sometime during the first half of the year 1889; probably several times.

Q. Was that before or after you became executive clerk for the governor of the state of Kansas? A. I think it was before and after, both.

Q. When was the first time you talked with him upon that subject-matter? A. I cannot recall the date.

Q. How did you happen to talk with him about that matter? A. He approached me about that matter.

Q. Where? A. In Topeka; I cannot state the exact place.

Q. Can you call to mind any particular place where you were? A. No, sir.

Q. Can you now remember a conversation between you and Mr. Henrie upon that

subject? A. Nothing more than he said he intended to secure some affidavits which would clear him from the charges made by the Vincents and others of having been connected with the Coffeyville explosion.

Q. Did he tell you at that time whose affidavits he would be able to secure? A. I think he did.

Q. Who did he tell you? A. I think he spoke of J. F. Cummings and a lady by the name of Barlow, a Mr. Coddling and Mr. Henrie, his father.

Q. Did you know J. F. Cummings at that time? A. No, sir.

Q. Did he tell you who J. F. Cummings was? A. No, sir; he told me what he was doing at that time.

Q. Did he tell you in that conversation that J. F. Cummings was a tramp printer, and that he could get him to swear to anything he wanted? A. No, sir.

Q. Are you positive of that? A. Yes, sir.

Q. Did he tell you who Lucy Barlow was? A. He said she was a lady who was living in a part of the house that he lived in.

Q. Did he not tell you that he could secure from her any kind or character of an affidavit which he would prepare? A. No, sir.

Q. Did he not tell you that in substance? A. No, sir.

Q. Did he tell you where Lucy Barlow at that time lived? A. In Topeka.

Q. Do you now know where she lives? A. No, sir.

Q. Have you ever seen her and had any conversation with her in reference to this matter? A. I never saw her.

Q. Did you ever see Cummings? A. Never did.

Q. You knew who he was, didn't you? A. I knew there was such a man.

Q. You knew the kind of man he was? A. No, sir, I knew nothing about him, except that there was such a man in Topeka.

Q. Where were you upon the occasion of the conversation between Governor Humphrey, E. P. Greer and W. P. Hackney, on or about the 4th day of July, 1889? A. I was present.

Q. Was anyone else present beside those whom I have mentioned? A. No, sir.

Q. Was Bion Hutchins there? A. I do not think he was.

Q. Was Captain Booth there? A. I think not.

Q. Was Bill Higgins there? A. No, sir, I do not think he was.

Q. Was not Dick Walker there? A. No, sir.

Q. You are certain about that? Yes, sir.

Q. Did you see Dick Walker that day? A. I do not remember of seeing him.

Q. Is it not a fact that you did see him and have a talk with him about this very matter? A. I might have; I do not remember the circumstance.

Q. Did you ever have any talk with him about this subject-matter at any time? A. I do not remember of ever having any conversation with Mr. Walker about this matter.

Q. Did you not tell Dick Walker, prior to the 4th day of July, that the governor had directed you to write to E. P. Greer, Bill Hackney and others to be present on a certain day, naming the 4th of July as the day; and that you was by the governor instructed to inform him to be present upon the same occasion? A. I have no recollection of anything of the kind.

Q. Do you say that you had no such conversation with him? A. I do not recollect of any.

Q. How long did the conversation last between Mr. Greer, Hackney, Governor Humphrey and yourself? A. I think we talked about two hours, probably.

Q. Was Mr. Henrie present at that conversation? A. No, sir.

Q. Was he not sent for, pending the conference? A. I do not remember of it.

Q. Don't you know that you went for him? A. I do not remember of it; no sir.
 Q. Do you tell this Committee that you did not go after him? A. I tell this Committee I have no recollection of it.

Q. Was there anything said in that conversation about Leland Webb? A. I do not remember.

Q. Don't you remember whether his name was mentioned or not? A. No, sir, I do not.

Q. Do you remember the substance of the conversation that took place at that time? A. Yes, sir.

Q. Well, are you then not able to state whether or not Leland Webb's name was mentioned in that connection? A. I am not able to state it.

Q. Was the subject of affidavits mentioned? A. Yes, sir.

Q. Who mentioned that fact? A. I do not know who first mentioned it; it was talked over by the gentlemen present.

Q. Do you remember what Governor Humphrey said about affidavits? A. No, sir.

Q. Do you remember what Mr. Greer said about affidavits? A. You mean substantially?

Q. Yes, sir. A. He talked about the preparation of an article, and he spoke of securing affidavits from a number of parties.

Q. Who did he name? Tell what he said. I want the facts. A. I cannot tell you. You said you did not want anything but facts, and I cannot give facts.

Q. Do you remember the name of any person who was mentioned whose affidavit was desired? A. Yes, sir.

Q. Who? A. O. P. Ergenbright.

Q. Who suggested that name? A. I think Governor Humphrey did.

Q. What did he say in connection with the name of O. P. Ergenbright? A. He said in substance, that O. P. Ergenbright was county attorney of Montgomery county, and that a statement coming from him would be valuable, or words to that effect.

Q. Was there anyone suggested to prepare an affidavit for Mr. Ergenbright? A. No, sir.

Q. Was there any suggestion as to who should write him for the purpose of obtaining an affidavit? A. I think Mr. Greer said he would write.

Q. Is it not a fact that the Governor suggested that because of his personal acquaintance with Mr. Ergenbright, that he would write the letter? A. No, sir; I think not.

Q. Are you positive about that? A. I am positive that the Governor suggested his name; but I am not positive as to the language he used.

Q. Now, is it not a fact that in that conference you were directed by the Governor to notify Mr. Henrie that certain affidavits would be required. A. No, sir.

Q. Is it not a fact that you went to Mr. Henrie and informed him that a conference had been held and that it was decided that he should furnish certain affidavits? A. I may have gone to him; I am not certain, but I think I did; but I did not tell him he was compelled to furnish certain affidavits.

Q. Don't you know you did? A. That he said he was compelled to furnish certain affidavits?

Q. Did I say anything in my question that would call for that character of an answer? A. Yes, sir.

Q. Did you not tell him in that conversation that he was required to furnish certain affidavits? A. No, sir.

Q. Do you remember the conversation you had with him? A. I remember the substance of it.

Q. Please state to this Committee what it was. A. It was not necessary to urge

Mr. Henrie to prepare these affidavits; he was more than willing to do it—he was anxious to do it.

Q. Please answer my question. A. The substance of the conversation was this: that Mr. Greer was preparing to publish an article in the *Winfield Courier* vindicating the men charged with the explosion, the state central committee, the Governor, and other prominent republicans of the State, and Mr. Greer wanted to include in that publication the affidavits from the parties who knew that Mr. Henrie was in Topeka on the 18th day of October, 1888.

Q. Did he not, at that time, request you to prepare for him the form of affidavit required? A. No, sir.

Q. Did he say anything to you about the preparation of any form of affidavits? A. Nothing, only that he would prepare a form for himself for his own affidavit.

Q. Was there anything said in that conversation about Leland J. Webb? A. Not that I now remember.

Q. Did you not tell him in that conversation that the governor would secure the services of Leland J. Webb to prepare all affidavits necessary to be used; and that such statement was made in response to his request wherein he asked you to prepare the affidavit yourself? A. I have no recollection of making that statement.

Q. You were present during the entire conversation between Governor Humphrey, E. P. Greer and W. P. Hackney, were you not? A. Yes, sir; I was in the office all the time they were there.

Q. The question arose in that conversation as to proof relating to the whereabouts of Mr. Henrie on the 18th day of October, 1888, did it not? A. I believe it was talked about; yes, sir.

Q. Did you tell these gentlemen at that time, you knew where Henrie was? A. Yes, sir; I think I did.

Q. Did you offer at that time to make and prepare an affidavit to that effect? A. No, sir.

Q. Was that question discussed at all? A. I think not.

Q. Didn't they say that they didn't want you to make an affidavit yet? A. I don't recollect of it.

Q. And didn't Bill Higgins say that the position you then held was such that it would not be prudent for you to swear to such a statement; that nobody in the state of Kansas would believe that story? A. No, sir; I do not recollect of any such conversation.

Q. I believe you stated, Mr. McCray, that prior to the time that you went into the governor's office that you had a conversation with Mr. Henrie with reference to his whereabouts on the 18th day of October, 1888? A. To the best of my recollection I did.

Q. And in that conversation, if I remember correctly, you said that the preparation and securing of affidavits as to his whereabouts on that day was discussed between you and he? A. The only mention made of it as I remember was made by Mr. Henrie, who said he intended to secure affidavits.

Q. Now, then, in that conversation did he suggest to you that he desired your affidavit as to where he was on the 18th day of October? A. I do not think he did.

Q. Did you say to him that you remembered distinctly of having seen him on that day? A. I am not positive that I said that.

Q. Do you now call to mind whether or not that subject was mentioned at all? A. I will not be positive.

Q. Did not Henrie say to you, "Why, you know that I was here on the 18th day of October, 1888, and that we worked together in the *Capital* office on that day"?

A. He might have said it; I do not remember that he did.

Q. Did he say it? A. I am not positive, nor will I say that he did.

Q. Did he not at that time ask you to make an affidavit to that effect? A. I think not at that time.

Q. Did you ever make an affidavit to that effect? A. No, sir.

Q. Did you ever make any published statement that Henrie was here on the 18th day of October, 1888? A. I am not certain as to that.

Q. Did Henrie ever ask you to make an affidavit to the effect that he was here on that day? A. I am not positive that he ever did.

Q. Did you ever have conversation with Henrie upon that subject? A. I had some talk; I talked with him about that matter.

Q. Do you know where Henrie was on the 19th day of October, 1888? A. No, sir.

Q. Do you know where he was on the 17th? A. No, sir.

Q. Do you know where he was on the 20th? A. No, sir.

Q. Do you know where he was at any time during the month of October, save and except the 18th day of the month? A. I saw him in Topeka during that month.

Q. When? A. I do not know.

Q. Was it before or after the 18th day of the month? A. I cannot be positive as to that.

Q. You cannot call to mind any particular day of meeting Mr. Henrie, save and except on the 18th day of the month? A. No, sir; I cannot.

Q. But your memory has been refreshed upon this subject since this investigation, has it not? A. I do not know that it has, specially.

Q. Have you not been talked to? A. We have all been talked to.

Q. Did you ever talk with the governor? A. I might have.

Q. Did you say that you did not? A. I did not say that, and I will not say it.

Q. Is it not a fact that you, Governor Humphrey, Bion Hutchins, and E. P. Greer have, since the commencement of this investigation, had repeated conversations and consultations in relation to Henrie, and his whereabouts on the 18th day of October, 1888? A. I cannot recall a conversation with all of these gentlemen present, at present; I have talked with several of them about the investigation.

Q. Have you talked with each or either of the persons I have named about the whereabouts of Mr. Henrie on the 18th day of October, 1888? A. I may have; I am not positive; I think I have.

Q. Don't you know you have? A. I think I have.

Q. Which one? A. I do not know which one; probably all of them. I can single out no one man and say I had a specific conversation with him about the certain matter; still, I may have had, but I am not certain about it.

Q. In either of these conversations that you held with these gentlemen either jointly or severally, has not the name of Leland J. Webb been mentioned and his testimony in this case? A. Not in conversation with either of these gentlemen when I have been present.

Q. Are you certain about that? A. Yes, sir; I am certain about that.

Q. Have you been directed by the Governor to search for and produce before this Committee any and all correspondence had between himself and E. P. Greer upon the subject of the conference held on or about the 4th day of July, 1889? A. Yes, sir.

Q. How many conversations have you had with him upon that subject? A. Probably two; two I think.

Q. When did you have the first conversation with him with reference to the time when he testified? A. It was about that time, I think.

Q. Was it before or after he had testified? A. I cannot say.

Q. Was it not before? A. I could not answer that with certainty.

Q. You were present when he testified, were you not? A. Yes, sir; I was.

Q. You remember distinctly the fact that he did testify? A. Yes, sir.

Q. You remember distinctly the fact that you had this conversation with him?
A. I wish to make a correction to that answer. I was present in the forenoon when he gave his testimony.

Q. You know the time when he testified? A. Yes, sir.

Q. Do you know whether this conversation was before or after you heard him testify? A. I cannot tell you.

By Mr. Curtis: Q. Did you make the search for the letters? A. Yes, sir.

Q. [Counsel shows witness Exhibit No. 17, the *Daily Capital* of October 19th, 1888, and calls his attention to the heading of the article introduced in evidence, and also the *Winfield Courier* of date of October 18th, 1888, and to the heading of the Vidette expose.] I ask you to state to the Committee if there is any difference between the heading of the two articles? A. Yes, sir.

Q. Now, will you kindly read the heading of the article published in the *Winfield Daily Courier* of October 18th, 1888? [Witness reads as follows:] A. "Clinched. The mask torn from the face of Kansas anarchism. The full plottings of the secret gang exposed for the first time. The nefarious conspirators in absolute control of the union labor party. The indisputable evidence of the plot to capture power and overthrow the government. The names of the leaders, what they did and how they did it. An autograph letter from the high scribe of the nuic'loc with his sig. attached. Let every sensible and patriotic citizen read and reflect."

[Counsel called the attention of the Committee to the fact that the article in the *Winfield Courier*, following the heading which has just been read by the witness, was the same as that which appears in the *Topeka Daily Capital* of October 19th, and that the two articles were set in different type, except the out of the letter. This was conceded by counsel on the other side.]

The witness was excused from further attendance upon the Committee.

FRANK C. SCOTT, being duly sworn, testified as follows:

Examined by Mr. Curtis: Q. State your name to the Committee. A. Frank C. Scott.

Q. Where do you reside? A. Topeka, 1035 Kansas avenue.

Q. How long have you been living in Topeka? A. About ten years.

Q. What is your business? A. I am a printer.

Q. What was your business in October, 1888? A. I was foreman of the *Capital* office.

Q. Of the *Topeka Daily Capital*? A. Yes, sir.

Q. Do you know Mr. C. A. Henrie? A. I do — yes, sir.

Q. I will ask you to look at the *Topeka Daily Capital* of Friday morning, October 17th, 1888, which is Exhibit 17 [handing witness the *Capital* of that date], for the purpose of refreshing your memory, and ask you to state if you met Mr. Henrie upon the day before the publication of that paper? A. I did.

Q. Where? A. In the editorial room of the *Daily Capital*.

Q. You tell the Committee how you happened to meet him on that date, and the circumstances. A. When I came to the office about half-past twelve I found the plate-matter for this article upon the turtle in my room. I knew nothing about the article; went to McCray to find out about the matter, what it was for, and he and Mr. Henrie were in there then and had the proof of the article; and Mr. Henrie was in there at that time.

Q. That was upon what day of the month? A. That would be on the day previous to the issue of this paper; about half-past twelve or one o'clock on the 18th of October, 1888.

Q. Did you see him any more that day, after twelve o'clock or half-past twelve?
A. I do not remember whether I did or not.

Q. Do you know whether or not Mr. Henrie worked any in the office during the month of October or November? A. Well, I do not know that I could say. He worked there at some time, but we would have to look at the pay-roll to find out just when it was.

Q. Do you remember when you saw Mr. Henrie last, before that time? A. No, sir; I do not know as I do.

Q. Do you remember when you saw him first or next after that time? A. No, sir, I do not remember as I know that.

Q. The paper to which your attention is directed bears date of the 19th; and do you know from the business of the office of which you had charge that the paper was in fact printed and published on that day? A. Yes, sir.

Q. What is it you say you found upon your table in your office when you returned from dinner? A. The plate-matter of this article; the stereotyped matter in relation to the Vidette expose.

Q. And it was upon the day of the discovery of this plate-matter on the table that you made these inquiries of Mr. McCray, and found him in consultation with Mr. Henrie in company with him? A. Yes, sir.

By Senator Kimball: Q. Did this article which you have referred to—the plate-matter which you found upon the turtle in your room—appear in the next issue of your paper after you found it there? A. Yes, sir.

Q. Was that how you know that it was on the 18th that you found this plate-matter there? A. That is the way I know it—yes, sir.

Q. And it was published on the next day, which was the 19th? A. Yes, sir.

Q. Was it in reference to this particular matter that you went to see Mr. McCray? A. Yes, sir.

Q. And do you know whether he and Mr. Henrie were engaged in consultation in reference to it? A. I think that they were talking; I did not stay in there very long. I was there to ask Mr. McCray for the proof of it, and he said he wanted to write a heading for it, and he was doubtless talking about it at that time. I do not know as I can say that I heard anything that was said, or remember anything that was said, save his instructions to me.

Q. And you remember that Mr. McCray said he wanted to keep it for a time to write a heading for it? A. Yes, sir.

By Mr. Templeton: Q. Did I understand you to say that Mr. Henrie was employed in the office of the *Capital* at that time? A. No, sir; he worked there about that time, but not that day, and I cannot say exactly when he did work there.

Q. You do not know whether he was employed previously? A. I do not know.

Q. And you cannot say whether he was employed there at that time or not? A. No, sir.

Q. Can you say how soon before or after? A. I think it was two weeks before, or probably a month or so. I could not tell without looking at the pay-roll as to the day.

Q. You think that sometime during the month of October he was an employé of that office? A. I could not say whether it was October or earlier; but I think it was earlier than that. It was only a few days and he was taken sick.

By Mr. Curtis: Q. He was employed as typesetter when he was there—working in the case? A. Yes, sir.

The witness was excused from further attendance.

Mr. WM. HENRIE, being duly sworn, testified as follows:

Examined by Mr. Dawes: Q. State your name to the Committee. A. Wm. Henrie.

Q. Where do you reside? A. Westmoreland, Pottawatomie county, Kansas.

Q. How long have you resided there? A. About two years.

Q. Where did you live in October, 1888? A. Lone Tree township, Pottawatomie county, Kansas.

Q. How long have you lived in Pottawatomie county, Kansas? A. About 18 years.

Q. Are you the father of C. A. Henrie? A. I am.

Q. Where was C. A. Henrie living in 1888? A. At Topeka, I believe.

Q. You may state to the Committee, whether in the month of October, 1888, he visited you at your farm in Pottawatomie county. A. He did.

Q. What day of the month did he come to your place? A. On the 25th day of October, 1888; met him at Blaine.

Q. In Pottawatomie county? A. Yes, sir.

Q. Do you know whether he had been in the county prior to that? A. I was told he was in that county the night before, and stopped at Jim Coddling's.

Q. Mr. Coddling is your son-in-law? A. Yes, sir. I happened to meet him and just stopped and turned around and went home.

Q. The day was the 25th of October? A. Yes, sir.

Q. Now, Mr. Henrie, if there is anything that fixes it in your mind that this was the 25th of October, you may state what it is? A. It was the beginning—I was in search of a hired man that I spoke to about coming to my house; I was on my way for him. I stopped in Blaine, and went back and told Charles that I would go for the man in the morning. The man came the next morning, and went to work on the 26th. That is the reason that it is impressed upon my mind.

Q. You have made an examination of your books to see when that man began work, and he began upon what day? A. The 26th.

Q. And he began work the day after C. A. Henrie came to your place? A. C. A. Henrie was on my place when the man came there.

Q. How long did C. A. Henrie remain in Pottawatomie county at that time? A. Four days, I think. The following Monday I took him to Blaine. He wished to return home here, and the train was late, and I left him at Blaine.

Q. The following Monday? A. Yes, sir; I think it was Thursday that I took him out home and this was Monday; and he left on the 29th.

The witness was excused from further attendance.

W. R. BENTON, being duly sworn, testified as follows:

Examined by Mr. Dawes: Q. State your name. A. W. R. Benton.

Q. Where do you reside? A. Lone Tree township, Pottawatomie county.

Q. How long have you lived there? A. Twenty years.

Q. What is your business? A. I am a farmer.

Q. Did you live at that place in October, 1888? A. I did.

Q. You may state to the Committee if you saw C. A. Henrie in Pottawatomie county in the month of October, 1888. A. I did.

Q. At what date? A. October 24th, at Westmoreland.

Q. Did he visit you at that time? A. Well, I cannot swear that he did, only my people told me that he visited there in my absence; but I was not at home at that time.

Q. You saw him in the town of Blaine? A. No, sir; in Westmoreland.

Q. How far is Westmoreland from Blaine? A. Eight miles, I believe.

Q. Who was with him when you saw him? A. I do not think anybody was with Mr. Henrie at all.

Q. Did you talk with him? A. I did for quite a while.

Q. In what part of the town did you see him? A. It was on the south side of the street, not far from the place of business of our ex-sheriff, Mr. Crowell.

Q. And Westmoreland is the county seat of Pottawatomie county? A. It is.

Q. Was it in the daytime you saw him? A. Yes, sir.

Q. On one of the public streets of the town? A. Yes, sir; about 11 o'clock in the forenoon that I saw him.

Q. Is there anything by the way of a fact or circumstance that fixes the date in your mind? A. Yes, sir; there is.

Q. Please state to the Committee what it is. A. Well, there are several things: first, I have in my possession a postal card written my family from Oldsburg on the 20th of that month, stating that a grand rally was to be had there; and that Senator Emory would probably return with me, and stay over Sunday. That was on the 20th; I can follow these dates to the 24th if you wish it, and tell how I know.

Q. Go on and state how you know. A. Senator Emory did return with me on that Saturday night. We got home—Sunday morning we arrived home. He stayed with me over the Sabbath, and Monday we went to Blaine, where there was speaking—Senator Emory and others speaking. I returned home, and Senator Emory went to Westmoreland for a campaign speech on Tuesday—the 21st being Sunday, the 22d Monday, the 23d Tuesday. Wednesday, the 24th, I had arrangements to meet Senator Emory, and take him from Westmoreland to Louisville. When I drove into Westmoreland I met Mr. Henrie, and had a conversation with him.

Q. Now, what we want to know is when you met Henrie; was it while Senator Emory was with you? A. No, sir.

Q. Was it on your road back from Louisville? A. No, sir.

Q. When was it with reference to your taking Senator Emory to Louisville? A. I met Mr. Henrie about 11 o'clock, as my recollection serves me, and we had a conversation about—

Q. When?—on the 24th of October? A. On the 24th of October.

Q. Before you started with Senator Emory to Louisville? A. Yes, sir.

Q. You may go on with your conversation? A. We had a conversation about the campaign, and he spoke to me during the conversation something about the expose. He asked me if I had heard of it. I told him no, I had not. He handed me a copy of the expose; and soon after I went to the hotel and took dinner with Senator Emory. I did not see Mr. Henrie afterwards. The expose was discussed between Senator Emory and myself on our road to Louisville.

Q. You had received it from Henrie? A. That was the first intimation the Senator and I had of the expose.

The witness was excused from further attendance. Mr. Whitley was also excused from further attendance upon the Committee.

The Committee adjourned to meet the following morning at 9 o'clock.

TOPEKA, March 28, 1891—9 o'clock A. M.

Committee convened pursuant to adjournment. A quorum present.

ARTHUR CAPPER, being duly sworn, testified as follows:

Examined by Mr. Dawes: Q. State your name to the Committee. A. Arthur Capper.

Q. Where do you reside? Topeka, Kansas.

Q. Did you live in Topeka in October, 1888? A. Yes, sir.

Q. What business were you engaged in at that time? A. Newspaper work.

Q. On what paper? A. On the *Topeka Capital*.

Q. Do you know C. A. Henrie? A. Yes, sir.

Q. How long have you known him? A. About six years, I should think.

Q. Do you know where he was on the 18th day of October, 1888? A. I saw him in Topeka twice that day.

Q. What time in the day did you first see him? A. I first saw him about—early in the afternoon.

Q. When next? A. Next saw him about 11 o'clock in the evening.

Q. Is there any fact or circumstance by which you are enabled to fix the time as being the 18th day of October, 1888? A. Well, I remember very distinctly of meeting him that day in the evening, for the reason that that evening there was a democratic meeting at the Grand Opera House, addressed by Mr. Overmyer; and after the meeting Mr. Henrie telephoned me concerning—telephoned me that the democrats were indulging in a big drunk, and called my attention to it, and said there ought to be something said about it. I asked him to look it up for me, and about 11 o'clock in the evening he came to the office and told me about it, and I asked him to write it up for me, and he wrote a short paragraph.

Q. Can you find the paragraph? Yes, sir.

Q. Please turn to it. [Handing witness file of *Topeka Capital*.] A. On the morning of the 19th.

Q. You have there the files of the *Topeka Daily Capital* for that year, have you?

A. For the last six months of that year—yes, sir.

Q. Do you find the article to which you refer? A. Yes, sir.

Q. Please read it. A. The paragraph reads as follows:

"After the Overmyer rally last evening a large number of the democratic leaders adjourned to a room in the Heery building on Third street and indulged in an old-fashioned democratic drunk. They had procured ten kegs of beer from Kansas City during the day, and before midnight about thirty of them were beastly drunk."

Q. You may state who wrote that article. A. Mr. Henrie wrote that paragraph.

Q. And that was written after he had telephoned you? A. Yes, sir.

Q. After he came to the *Capital* office? A. Yes, sir.

Q. And this paragraph that you have read, that was written by Mr. Henrie, appears in the *Capital* of what date? A. Of October 19th, 1888.

Q. Where did he write it? A. He wrote it in the local room of the *Capital*—that is, my room.

Q. The night before its publication? A. Yes, sir.

Q. Now you say, this was the night of Overmyer's meeting at the Grand Opera House? A. Yes, sir.

Q. Now, have you any way by which you fix the date of the Overmyer meeting? That is, were you present at that meeting? A. Yes, sir.

Q. Did you write a report of the Overmyer meeting? A. Yes, sir.

Q. Have you examined the files of the *Capital* to find the date of the report? A. Yes, sir.

Q. On what date does that report appear in your paper? A. The morning of October 18th.

Q. On the same page that the article by Henrie appears? A. Yes, sir; on the same page.

Q. And these two articles in the *Capital* is what enables you to absolutely fix the date that you saw Mr. Henrie? A. Yes, sir.

Q. When next did you see Mr. Henrie? A. Well, the next time I remember dis-

tinctly of seeing Mr. Henrie was about ten days later. I think on the 1st of November.

Q. Where did you see him on the 1st of November? A. In the *Capital* office.

Q. Have you any means of ascertaining the exact date? A. Yes, sir.

Q. How? A. By an interview published here in the paper with Mr. Henrie.

Q. Will you please turn to that interview? [Witness turns to the article.]

Q. Mr. Capper, do you find the interview with Mr. Henrie of which you have spoken? A. Yes, sir.

Q. It appears in the *Capital* of what date? A. Of November 2d.

Q. The interview was had the day previous, was it? A. The evening previous—yes, sir.

Q. At what place? A. In the *Capital* office.

Q. And it is that interview concerning the charges that were being made against him concerning the Coffeyville explosion? A. Yes, sir.

Q. And does the interview correctly state what he said about it at that time? A. Yes, sir; the interview in fact was written by Mr. Henrie. I asked him to write it, and it is printed just as he wrote it.

Q. Did he write it all? A. Well, the quoted part—the interview.

Q. Please designate the portion written by Mr. Henrie by reading the first sentence of it. A. Mr. Henrie wrote that part commencing with the question "What have you to say to the charges made in the *Democrat's* alleged expose?"

Q. And ends with what words or sentence? A. Ending with the sentence "It is useless to talk further on the subject at this time."

Q. Now, was all the interview between these two sentences quoted written by Mr. Henrie? A. Yes, sir.

Counsel offered in evidence the article containing the interview with Mr. Henrie as identified by the witness Capper. The article was introduced in evidence, and was as follows:

"ALL A HUMBUG.—*Chairman Galloway's Latest Campaign Document.*—The alleged expose of the recent Coffeyville explosion, published last evening in the *Democrat*, was the flattest campaign document ever gotten up by Chairman Galloway, of the democratic state central committee. It makes the ridiculous charge, indirectly, that officers of the republican state central committee, and officers of the republican county committee of Cowley county, instigated the dynamite explosion at Coffeyville for political effect. In all the seven columns given by the *Democrat*, there is not a single statement of fact which tends to show that the republicans had anything whatever to do with the affair. No one believes that they did. Mr. Galloway, himself, don't believe it; but the democrats will resort to anything this year.

"Chairman Booth said last night that the *Democrat's* charges were all bosh. He did not deny, and never has denied, and has no reason to deny, that the republican state central committee circulated the Vidette expose, which showed conclusively that within the union labor party was a secret organization of an anarchistic nature which controlled the union labor party. This expose showed that the Vidette organization had, in secret convention, dictated the platform and nominations of the union labor party; as much as they have howled against the expose, they have never denied this fact.

"A great many farmers and law-abiding citizens, who had about made up their minds to join the union labor party, saw at once in the Videttes a dangerous organization, and they discovered for the first time that the union labor convention had been secretly manipulated by a few men. It has been very hurtful to the labor party, and, if the stampede continues, the vote polled by this party will be less than one-tenth of what was predicted four weeks ago. This is an actual fact, as reports received by the state central committee within the past five days show beyond question. The expose of the Videttes has created a furor among the farmers. They want no anarchistic or secret political organization in Kansas. No wonder, then, that the democrats are attempting to attract attention from the Vidette expose, by making the outrageous charge that the republicans instigated the dynamite explosion.

"They can make no defense for the Videttes, and they resort to falsehood, slander and deception to detract from the expose.

"It is intimated by the *Democrat* that Mr. C. A. Henrie, of this city, is implicated in the Coffeyville affair, and states that he has mysteriously disappeared since the explosion. Mr. Henrie has been

in Topeka all the time, and has no more to do with the explosion than Mr. Galloway. He was interviewed last evening by a *Capital-Commonwealth* reporter.

"What have you to say to the charges made in the *Democrat's* alleged expose?" was asked.

"I can say nothing, except that they are false—entirely false—so far as I am concerned. I have never been in Coffeyville in my life; don't know dynamite when I see it."

"What motive can they have in connecting you with the affair?"

"It is a system of retaliation on the part of the democrats, because I would not go in with them to corral the labor vote for the democratic party, assisted by the would-be union labor leaders, whom I have, through my paper and in public gatherings, antagonized and frequently defeated. The reason I have antagonized them is because I had no faith in their remedies for the evils afflicting the laboring classes."

"If I am implicated in any sense at all," said Mr. Henrie, "they know where to find me. I have been here all the time, and expect to stay here. Some one has to be made the scapegoat, and for that reason they have attacked me, knowing that I have no means of replying since the publication of my paper was suspended by reason of an attachment for press-work for the sum of \$25. The entire want of foundation for the charges will be exposed at an early day in the suits which I intend to bring, as there certainly is some means of defense against the publication of such lies by insinuation, as this bungling expose would attempt to fasten upon me. It is useless to talk further on the subject at this time."

"Mr. Henrie has been editor of a state organ of the Knights of Labor, has been president of the Topeka Typographical Union, was a delegate last year to the general assembly of the Knights of Labor, and was chairman of the legislative committee for the Knights of Labor. No one in this city, where he has resided for so many years, will for one moment believe that he could be guilty of the atrocious crime charged against him by the democrats."

By Mr. Henderson: Q. How long have you resided in Topeka, Mr. Capper? A. Nearly seven years.

Q. Are you now connected with the *Daily Capital*? A. Yes, sir.

Q. How long have you been connected with it? A. Nearly seven years—ever since I have resided in Topeka.

Q. You say you have been acquainted with Mr. Henrie about six years? A. Yes, sir; I should think it was about six years. I do not remember the exact time I made his acquaintance.

Q. When was the first time after the publication of the interview, to which your attention has been called, that your attention was specially called to that particular interview. A. About a year ago, I think.

Q. Who directed your attention to the fact? A. There was an old gentleman came up to the office, I do not know. I think his name was Harlan. He came up with Mr. Henrie and interviewed me about this matter, and what I knew of Mr. Henrie's whereabouts at that time, and this interview; and I hunted up the interview for him. I should think it was about a year ago.

Q. Was that the time when the republicans of this state were preparing what they saw fit to call their answer to the charges that had been made against Governor Humphrey, Ed. P. Greer, Bion Hutchins, Henry Booth, and C. A. Henrie? A. No, sir; I think not. I do not remember of anything of that kind having been done at that time.

Q. You do not remember whether there was or not? A. I could not say certainly whether there was or not.

Q. Was your attention at that time called to the fact that you remembered distinctly that Henrie was here on the 13th day of October. A. Yes, sir; by Mr. Harlan.

Q. In the presence of Mr. Harlan? A. Yes, sir.

Q. Did Mr. Henrie request of you an affidavit as to his whereabouts upon that day? A. No, sir.

Q. Has he at any time requested of you to make any such affidavit? A. No, sir.

Q. Who was this man Mr. Harlan? A. I do not know, nor never knew. That is the only time I ever saw him, and I have not seen him since.

Q. You say you never saw that man's name in print? A. Not that particular gentleman.

Q. Don't you know about that time there was a long article in the *Capital* referring to this man Harlan, and didn't you and C. A. Henrie write the article? A. I think not; I do not remember of it.

Q. You do not remember that? A. No; if there was an article of that kind printed.

Q. The only way by which you are able to state positively that Mr. Henrie was in the city of Topeka on the 18th day of October, 1888, is because of the fact that he wrote the article referred to in your testimony in chief, referring to the meeting of Mr. Overmyer? A. Yes, sir.

Q. Do you know how many different speeches he delivered in the city of Topeka during that campaign? A. He may have delivered one other; I am not sure.

Q. Did he not deliver three others? A. I think not.

Q. Did he not deliver a speech the following week of October—no, the first of November? A. Yes, that is the time he delivered another, just before the campaign.

Q. And is that not the meeting at which Mr. Henrie attended? A. No, sir.

Q. You are certain about that? A. Yes, sir.

Q. Were you attending there, yourself? A. Yes, sir.

Q. Did you see Mr. Henrie? A. No, I did not.

Q. You do not know whether he was there at all, or not? A. No, sir.

Q. When did you and Henrie talk about this matter? A. About 11 o'clock that night.

Q. How often since then? A. At the time we met Mr. Harlan we talked about it, and then not until a day or two ago—day before yesterday—the day I was subpoenaed here.

Q. Never until then? A. I have no recollection of it.

Q. Did you talk with him week before last? A. I think Mr. Henrie met me on the street and told me I would be subpoenaed here in this investigation, but we said nothing about the facts in the case.

Q. He has been furnishing you articles of the proceedings of this Committee right along for your paper? A. No, sir.

Q. Has not furnished any? A. No, sir; I do not think he has furnished any. I have not had charge of the writing up of the proceedings of this Committee.

Q. At the time he telephoned you about those democrats getting drunk up there, did he tell you how many democrats there were in the crowd? A. When he telephoned?

Q. Yes, sir? A. No, I think not. He said the democrats.

Q. Did he say there were more than thirty there? A. I do not think he said anything about the number when he telephoned. I think his language was—he inquired at the telephone if I knew that Overmyer's meeting had ended up in a big drunk. I told him that I did not. I had been in the office since the meeting and knew nothing about it. He said, "That is a good pointer for you," and I told him I was busy, and asked him if he would not have time to look it up. He said he guessed he could, and along about 11 o'clock he came in. I was still very busy writing up the report of Overmyer's meeting, and I asked him to write it up. He asked how much. I said very short, because we were crowded that evening, and he sat down and wrote that paragraph.

Q. And you published it? A. Yes, sir.

Q. That ten cases of beer made thirty democrats drunk? A. Yes, sir.

Q. Was that the only report that Mr. Henrie made of that meeting? A. Only report to our paper.

By Mr. Dawes: Q. What part of the stage did you occupy at that meeting? A. I had a table on the north side of the stage.

Q. Quite a number of reporters there? A. At my table I was the only one that occupied that table.

Q. Then there were reporters on the other side of the stage, were there not? A. Yes, sir; there were other reporters there.

Q. Do you know who they were? A. No, sir; I could not say now who they were. The witness was excused from further attendance upon the Committee.

D. O. McCray was recalled for further examination, and testified as follows:

Examined by Mr. Henderson: Q. I will ask you to state [handing witness Exhibit No. 38] when you next saw that affidavit after it had been delivered to Henrie, and by him sworn to? A. To the best of my knowledge it was sworn to when I first saw it.

Q. You delivered it to him in his office, or so stated yesterday? A. Yes, sir.

Q. When did you next see that affidavit afterwards? A. I do not remember of seeing it again.

Q. Never seeing it again? A. I might have, but I am not positive.

Q. Did you not see it before it was handed to you yesterday? A. I have no knowledge of seeing it before that time.

Q. Do you know where it has been? A. No, sir.

Q. Do you know in whose possession it has been? A. No, sir.

Q. Has it not been in the possession of yourself? A. Not since I had it, that I remember of. And as I remember I had it one day.

Q. Only? A. Yes, sir.

Q. I will ask you to look at the indorsement on the affidavit, (Exhibit 38,) and state to the Committee in whose handwriting that is? A. I do not know.

Q. Was that indorsement on the affidavit when delivered to you by Mr. Henrie? A. I do not know.

Q. You said that the affidavit was sworn to when handed to you by Henrie? A. I did not state so; I said, "to the best of my knowledge it was."

Q. That is your best recollection now? A. That is my best recollection now.

Q. What was the object of handing you that affidavit, after it had been sworn to? A. I think I stated that yesterday.

Q. Well, state it again. A. I think Mr. Henrie gave it to me, as I stated yesterday, to look it over and return it to him, which I did.

Q. Is it not a fact, that it was handed to you for the purpose of delivery to Governor Humphrey for his inspection? A. I think not, sir.

Q. Is it not a fact, that you did deliver it to Governor Humphrey, and that he did inspect it? A. I may have done so, but I am not certain as to that.

Q. Don't you remember, Mr. McCray, that you did show that affidavit to Governor Humphrey, and that you and he had a conversation about it? A. I do not remember. I might have done so, but I do not remember so that I can swear definitely about it.

Q. Do you say you did not? A. No, sir, I do not say that.

The witness was excused from further attendance upon the Committee.

Capt. HENRY BOOTH, being duly sworn, testified as follows:

Examined by Mr. Dawes: Q. State your name. A. Henry Booth.

Q. Where do you live? A. Larned, Pawnee county, Kansas.

Q. How long have you lived there? A. A little over twenty-one years.

Q. Are you the Henry Booth who has been mentioned in this investigation as

having been chairman of the republican state central committee during the campaign of 1888? A. I am.

Q. Are you acquainted with C. A. Henrie? A. I am.

Q. When did you first become acquainted with him? A. I cannot tell the date exactly; it was the time of the holding of the republican state convention that year when I first saw him. I think it was in July.

Q. Did he do any work for the republican committee during that campaign? A. He did.

Q. About when did he begin work for the committee? A. That I could not positively state. I think, though, it was sometime in September of that year.

Q. And he continued to work for the committee, how long? A. I could not state that, from the fact that he was not what you might say regularly in the employ of the committee like some of the other clerks. I do not know the date of the last work he did for us.

Q. What was the nature of the work done by Mr. Henrie for the committee? A. The principal work that he did, as I recall it now, was assisting in the preparation of what is called the Vidette expose, although he did some work for us before that.

Q. About when was the expose published? A. About the 19th of October, 1888.

Q. Do you know where Mr. Henrie was at or about that time? A. I know that he was in Topeka on the 18th day of October, 1888.

Q. How do you know that? A. I saw him in the rooms of the committee on that day.

Q. And had been for how long prior thereto? A. Well, I do not know; I cannot state exactly how long, but he used to be in the rooms every now and then; I should say a month before that.

Q. But what I want to get at is, had he been in the rooms of the committee for some days prior to the publication of the expose? A. Well, I think he had; I could not swear positively to any day except that one; I remember that distinctly, for the reason that it was the day before the republican rally that we had at Ottawa, in Franklin county.

Q. What fixes that date on your mind? A. Because it was at that rally that I heard of the explosion at Coffeyville; and I remember the date that I started to go down there, which was the 18th of October. I think just after dinner, or about that time, that I was in the committee rooms talking to Mr. Hutchins, the Secretary, when Henrie came in. I was talking to Mr. Hutchins about what he should do while I was gone. I expected to be away about two days, and I had a little talk with Mr. Hutchins about what he should do during that time.

Q. And the rally in Franklin county was on the 19th? A. Yes, sir, on the 19th, at Ottawa.

Q. Now, Mr. Henrie had been in the employ of the committee for several days prior to the 18th? A. Yes, sir.

Q. Did he make any trip anywhere for the committee? A. I do not know that he did. I do not remember now that he did just prior to that time. He did make some trips for the committee.

Q. Prior to that time? A. Yes, sir.

Q. Where did he go? A. My recollection is that he went to Kansas City once or twice for us, and I think to Kansas City, Kansas.

Q. Did he make a trip to Winfield for you? A. I think he did; I am not certain about the time, however; my recollection is that he made one or two trips at the time they were gathering and arranging this material for this expose. I did not have very much to do with the preparing of that expose; in fact I had what you

might say nothing to do with it except in a sort of general way, a supervision and examination of it before it was printed. Mr. Hutchins, Mr. Henrie and Mr. Greer were the parties who did the work generally, and I think wholly.

Q. Captain, you afterwards saw certain charges in party papers charging the republican committee, yourself among the rest, with having been instrumental in having that bomb prepared and sent to Coffeyville, did you not? A. Yes, sir.

Q. You may state to the Committee whether the republican central committee was engaged in that kind of campaign work at that time? A. It was not.

Q. Was there any discussion or talk of any kind at any time in the committee rooms concerning the preparation or sending of any explosive of any kind for any purpose? A. There was not.

Q. By the committee or anyone else there? A. There was not to my knowledge; I never heard of any of the kind, there or elsewhere.

Q. Have you any knowledge or information of any kind touching the question of what caused the explosion at Coffeyville, or who caused it? A. I have not.

Q. Is all you know about it what you have seen in the newspapers or heard during this investigation? A. That is all.

By Judge Webb: Q. You think, Mr. Booth, the republican state convention of 1888 was in July? A. That was my recollection; I should say about the 18th; I may be wrong as to that date.

Q. The republican state central committee for the next ensuing year was chosen at that time? A. Yes, sir.

Q. How soon after the selecting of the committee did it meet or organize or commence its operations or plan of campaign? A. My recollection is that it was about ten days when the committee met and completed the permanent organization. There was a temporary organization the day after the convention was held, if I remember correctly.

Q. Its permanent organization I have referred to? A. I think it was about ten days; I know I went home and came back before that.

Q. Did the committee at that time provide itself with headquarters to be occupied thereafter as necessary during the campaign? When you permanently organized, did you provide yourselves with headquarters where the meetings of the committee were to be held? A. No, sir.

Q. How soon after that did you? A. My recollection now is, that it was about the 18th of August.

Q. Were these rooms in the Windsor Hotel? A. Yes, sir.

Q. What number of rooms were subject to the use of the committee? A. Well, we had two rooms that were used altogether by the committee, and sometimes one or two others; the two opposite the parlor were the ones used for regular headquarters.

Q. You personally became acquainted with Mr. Henrie at the convention in July, if you remember? A. When I was introduced to him, that was the first time I remember of seeing him; I cannot say that I was ever very much acquainted with him.

Q. How soon after that did he engage in the service or employ of your committee? A. That I could not state with any degree of certainty, for I do not remember what he did for us first, consequently it is difficult to locate the day.

Q. Have you, or was there kept a general record of the actions of the committee, the services assigned to A, B and C respectively? A. No, sir.

Q. Was there kept a record which would show the expenditures, for political purposes, which were made by the committee? A. There was — yes, sir.

Q. Would that disclose the fact as to the measure of compensation, or wages each

individual respectively received for his services? A. We each—each member that had any claim against the committee, made out a bill; we did not keep any book account.

Q. Any record of disbursement, as that occurred? A. You mean in a book?

Q. Yes, sir. A. Well, a part of the time we did, and after that we did not. We simply kept the funds we had in the bank; and we had a check book with stubs, and kept it in that way, and drew off the list.

Q. If there was a claim presented and allowed, and you gave him a check and he got his money, you recorded it on the stub. A. Yes, sir.

Q. You say the principal work which Mr. Henrie did in the service of your committee, was in connection with the preparation and publishing of the Vidette expose? A. That is my recollection—yes, sir.

Q. Do you remember, with reasonable definiteness, when that work began; when the first effort or step was taken toward preparing the expose? A. Well, I cannot, unless in this way; my recollection is now that it took ten days or two weeks to prepare it, and it was finished about the 17th of October, or 18th. Of course, not having anything particular to do with it, I do not remember distinctly, but my general recollection is that it was about ten days or two weeks.

Q. But it was prepared, and in a state of readiness for publication, a few days, in fact, before it was printed? A. I think so.

Q. There was an understanding upon the part of the managing men of your committee, and various other persons in different localities in the state, that the publication was to be sprung very generally in different localities at the same time? A. Yes, sir.

Q. In order to do that, it was necessary that these preparations should be made, otherwise simultaneous publication could not be had? A. Yes, sir.

Q. You say Mr. Henrie made some trips away from the city here, of which you mentioned one to Kansas City, Missouri, and one to Kansas City, Kansas; do you know about what time these visits were made? A. No, sir; I could not say with any degree of certainty.

Q. Are you able to say whether it was before the work upon the preparation of the general exposure began, or whether it was after it had been completed? A. I think it was before.

Q. As to the trip which Mr. Henrie made to Winfield, you say you are not able to speak? A. No, sir; only it is my general recollection he did make a trip down there; Mr. Hutchins attended to that part almost entirely. I remember of speaking about Henrie going down there.

Q. Was that in connection with the preparing of this exposure? A. Yes, sir; I think it was.

Q. Were the trips which he made to other places in the interest of the committee—I mean by that, connected with the same subject—or was he sent on other missions? A. They were not all in relation to the expose.

Q. Where did he go for some purposes not connected with the expose? A. My recollection is, his trip to Kansas City had nothing to do with that expose.

Q. Generally, did you know what his missions there were? I mean for what purposes did he go there? A. I could not state definitely what he went there for. It was something in relation to the campaign as connected with the movements of the labor men, Knights of Labor, or some other classes of laborers—that is my recollection now.

Q. Was Mr. Henrie understood by you to then be, or to have been, a Knight of Labor? A. Yes, sir.

Q. Did you understand him to then be, or to have been, a member of the Vi-dettes? A. No, sir.

Q. Did you ever talk with him upon the subject, as to whether he was or had been? I mean, had you ever talked with him upon that subject? A. No, sir.

Q. Was he charged in behalf of the committee with any duty other than to aid in this expose, and to counsel with, advise and control, so far as he could, the labor element, the Knights of Labor? Were these the exclusive duties that devolved upon him? A. That was the nature of the work that we wished to get out of him—his advice and his information as to what the laboring vote would do, and how they could be brought to support the republican ticket, or continue to support it, as they were supporting it.

Q. Do you remember the full measure of time which Mr. Henrie spent in the employ of the committee? A. No, sir, I do not.

Q. Are you able to tell the full measure of compensation he received at the hands of the committee? A. No, sir, I am not. I might say here that I do not want to be understood as saying that he was regularly employed by the committee, as Mr. Hutchins, Mr. Gebhart, and Colonel Prouty were. Sometimes, maybe for a week or two, we would not have anything for him to do.

Q. Do you know whether the bills which he presented for his services were presented from time to time, or the aggregate sum at one time? A. From time to time. My recollection is, that when he did anything for us, for instance when we sent him to Kansas City, he put in his bill; we paid his railroad fare, and we paid him \$2 or \$2.50 per day; and if we wanted him again we would send for him. He was in the room often, and we knew where he was, and if we wanted him we sent for him.

Q. Do you remember that the republican rally or demonstration, or whatever it was, at Ottawa was upon the 19th of October? A. That is my recollection—yes, sir. I might state the circumstances upon which I base that statement.

Q. Well? A. As I have not looked up any paper or any notice of that rally, I will state it from my recollection.

Q. Well? A. I went to Ottawa to attend that rally. Governor Humphrey, Senator Plumb, George T. Anthony and Governor Felt were to speak there. Governor Felt was to come from the south where he was speaking; and that afternoon, I should say about 5 or 6 o'clock, we were on the veranda of the hotel when Governor Felt came in from the depot, and he told us about the Coffeyville explosion, which was the first any of us had heard. I asked him if he spoke at Coffeyville the night before, and he said: "No, I did not"; and I asked him why, and he then stated that the explosion had occurred down there, and the town was in a turmoil of excitement, and he did not think it was proper to hold a political meeting when the people were in that condition of mind; and that is what makes me think it was the 19th. I think the explosion was on the 18th, and he told us the explosion was the night before.

Q. During the time that Mr. Henrie was assisting in preparing the material to be used in this expose, where, if you know, was he doing his work? I mean what particular room or apartment? A. I do not know the number of the room; it was in an upper story of the Windsor hotel.

Q. Some room in the Windsor? A. Yes, sir.

Q. During the time that he was so engaged do you remember whether you visited his room? A. I remember of being there only once.

Q. Can you tell, Mr. Booth, upon what day that was? A. I cannot; I can state—I will state this: I went up there to examine the proof-sheets, to read it over and see that it was all right; or, in other words, to examine the contents and see if it was such an article as we would want to stand responsible for. Mr. Henrie was not

in there at that time; my recollection is that Mr. Greer was the only one there. Mr. Hutchins was not there, I believe. The material was on a long table. I remember the long strips that they printed their proof-sheets upon were lying upon the table. I read them over and went out; and my recollection is there was no one in the room except Mr. Greer. That is the only time I remember of being in the room.

Q. Was he a frequent caller at the committee rooms, at the headquarters proper? A. He was in there quite often; I do not know as I would say he was a frequent caller.

Q. Mr. Greer took part in connection with Henrie and Hutchins in preparing this expose? A. Yes, sir.

Q. How long was he about the Windsor and about your headquarters in connection with that work? A. I could not state how long he was there; my recollection is he was there twice upon this matter; how long he was there either time, I do not know.

Q. Was there any understanding between yourself as chairman of the state republican central committee, and Mr. Greer, as to the time the expose should be published?

Q. It was to be published in his paper; he was to publish it? A. Yes, sir.

Q. Here, in Topeka? A. Yes, sir.

Q. It was to be published at other localities? A. Yes, sir.

Q. You had an understanding that it was to be published as nearly as possible at one and the same time, wherever it was published? A. Yes, sir.

Q. How was Greer to know when the publication was to appear in his paper; what understanding had you? A. My recollection is, Mr. Hutchins was to let him know. As I stated a moment ago, I knew very little about the minutiae of this business; Mr. Hutchins, as representative of the committee, attended to it; and he, together with Mr. Greer and Mr. Henrie, had the whole matter in charge.

Q. But you were sufficiently advised as to the general plan, to know that it was not to be published in any one place, at least until it was in readiness to be published generally at various places? A. That was the idea.

Q. I call your attention now to an issue of the *Non-Conformist* of date of October 11th, 1888, and to an article therein headed, "Badly Battled." I wish you would read the article. [Witness here read the article.] It purports to be a communication from you, signed Henry Booth, and contains an extract which was taken from the *Kansas City Times*, I guess. A. Yes, sir.

Q. The letter was written by you? A. It was not.

Q. It was not? A. No, sir.

Q. Did you see it? A. Did I see what?

Q. That publication at any time before now? A. Yes, sir.

Q. Your attention was called to the fact that such a communication, or pretended communication from you, was circulated by means of that paper? A. Yes, sir.

Q. And were you ever interrogated in reference as to whether you had written that communication? A. Yes, sir.

Q. And this is the first time you ever denied it, is it not? A. No, sir.

Q. Do you know by whom it was written? A. I do not. I will say here, that I do not think that any such letter was written or sent by anybody. I think it was gotten up by a correspondent of the *Kansas City Times*—I do not remember his name; he used to be on the *Capital*—I think it was Dick Colver.

Q. You think this is the mere product of the imagination of some *Times* reporter? A. Yes, sir.

Q. Was that Colver or Blunt? A. It was Colver.

Q. Do you remember when the subject of this Vidette expose was first men-

tioned to you? A. No, sir; I cannot give the date; I can say this, that it was a short time prior to the 6th of October.

Q. Do you remember by whom? Who mentioned it to you first? A. Well, I am not certain whether it was Mr. Hutchins or Mr. Greer. The reason that I know it was before the 6th of October is, because on the 6th of October or the 5th of October, perhaps the afternoon of the 5th, Mr. Poorman came to my office with a letter from Mr. Greer stating that this gentleman, the bearer of that letter, could give me information, or more information perhaps it was, in relation to the Videttes. That makes me know that either him or Mr. Hutchins had spoken to me about it before, because I know I had a little knowledge or information, or had talked with somebody before that time.

Q. The publication of the ritual in the *Courier* had appeared before that time? A. I think so; I would not swear positively, however; I am not distinct in the recollection of these dates.

Q. Do you remember as to the fact that you then had the *Winfield Courier*, containing the secret work, as it is called, of the Videttes? A. I think we did, although I am not clear about the date.

Q. And Greer's letter suggested to you that the bearer, Mr. Poorman, would be able to give you further information, or more information? A. Yes, sir; that was the idea.

Q. That is, more than you could get from the then published work in the paper, that was the way you understood it? A. Yes, sir; that is the way I understood it.

Q. You had previously to that time engaged the services of Mr. Henrie? A. In relation to the expose?

Q. No. You had previously engaged him in your services? He had been before that time employed, rendered some services? A. Yes, sir; I think he did something for us.

Q. And not until after that did he contribute toward the preparing of the further expose? A. No, sir.

Q. Do you know anything about the procuring of the ritual and other papers pertaining to the order of Videttes? A. I do not.

Q. From whom any of them were received or by whom they were obtained? A. No, sir.

Q. Do you remember whether you were here in the city during the month of July, 1889? A. Well, I do not remember any particular time.

Q. Do you remember of having met Ed. Greer and Bill Hackney here together during the summer of 1889? A. I think I did meet them here—yes, sir, about that time.

Q. Do you remember, whether upon that occasion you, together with these gentlemen, had an interview with Governor Humphrey? A. No, sir; we did not.

Q. Were you present at any time when the subject of the accusations which had appeared in the paper against yourself and other members of the committee, Mr. Greer and Governor Humphrey, in connection with that Coffeyville explosion, was the subject of discussion? A. With these parties you named?

Q. Yes, sir? A. No, sir.

Q. At no time? A. No, sir.

Q. Were you present at any time when the matter or subject of the refuting the charges by making an explanation accompanied by affidavits was the theme of discussion? A. Do I understand you to mean in the presence of these gentlemen named?

Q. Yes, sir? A. No, sir.

Q. Was it the subject of conversation between you and either of these men? A.

I have had talks with Governor Humphrey and Mr. Greer ; but never to my knowledge with Mr. Hackney.

Q. Was your conversation with the gentlemen separately or with them jointly?
A. With them separately.

Q. Have you and Governor Humphrey talked concerning the appointment of Mr. Henrie to the office he now holds in the labor bureau; and the influence that effected and secured him the appointment? A. No, sir.

Q. Did you have any talk with Governor Humphrey with reference to the appointment of Henrie before he was employed in that bureau? A. I did not.

Q. Was it a subject of conversation between you and Senator Buchan, familiarly denominated Billy Buchan? A. No, sir; it was not. I do not remember of having spoken to Mr. Buchan upon the subject at all; and I might say no other senator.

Q. Do you know by what influence or through whose efforts Mr. Henrie obtained the position which he has? A. I do not.

Q. There never was any understanding between you and him, that in consideration of the services which he rendered to the republicans during the campaign of 1888, you should use your influence to secure to him the position? A. There was not.

Q. You never made any efforts in that direction? A. I did not.

Q. You are a republican, are you not? A. I am.

Q. You believe in the good old doctrine, that to the victor belongs the spoils?
A. Not altogether.

Q. There are exceptions to that rule? A. Yes, sir.

Q. Do you believe in the accomplishment of results, the end justifies the means?
A. I do not.

Q. You had no personal acquaintance with Henrie previous to the time you have mentioned? A. I had not.

Q. Had you heard of him as a man connected with the newspaper fraternity of this city, and the publication of a paper in this city? A. Not that I remember; I mean, now, prior to the date I was introduced to him.

Q. Did you learn before he entered into the service of your committee, that he had been so connected with papers; that he was known as a Knight of Labor; that he was charged with being in sympathy with the men of the stripe of the Haymarket murderers in Chicago? Were you advised of the fact that he was charged with having such associations and such predilections? A. I knew at the time I was introduced to him, from statements made by the party who did introduce me, that he was a newspaper man. My recollection is he told me himself that he was a Knight of Labor. I did not know at that time, and never had heard that he was connected with, or in any way in sympathy with the Haymarket murderers; and I did not know that he belonged to any organization of any kind or character, save the Knights of Labor, and this from his own mouth; and I never heard anything about his being connected with the Haymarket murders until the *Non-Conformist* attacked him in relation to this expose—the dynamite expose.

Q. I want to ask you whether you yourself recommended him to Governor Humphrey as a fit and suitable person for the place in the labor bureau? A. I did not. I might state here, and perhaps I ought to state here, that Mr. Henrie never asked me to recommend him.

Q. You do not remember when you saw Mr. Henrie next, after your return from the meeting at Ottawa? A. I could not give the date; no, sir.

Q. You know that he called at republican headquarters before you went to Ottawa, and immediately before you went? A. Yes, sir.

Q. And, you think, upon the day you did go? A. Yes, sir.

Q. Do you remember when last before that you had seen him? A. I could not state—no, sir.

Q. Well, you say you saw him from time to time; you are not able to specifically mention any other time? A. No, sir.

By Mr. Curtis: Q. Is that your signature [calling witness's attention to Exhibit No. 20]? A. Yes, sir.

Q. Is the letter in your handwriting? A. No, sir.

Q. Do you know in whose handwriting it is? A. I could not now say—no, sir.

The witness was excused from further attendance upon the Committee.

The Committee adjourned to meet Monday, March 30th, 1891, at 9 o'clock A. M.

TOPEKA, Monday, March 30, 1891—9 A. M.

Committee convened pursuant to adjournment; a quorum present.

J. K. CODDING, being duly sworn, testified as follows:

Examined by Mr. Curtis: Q. State your name to the Committee. A. J. K. Coddington.

Q. Where do you reside? A. Westmoreland, Pottawatomie county, Kansas.

Q. How long have you lived in that county? A. About nineteen years.

Q. Do you know C. A. Henrie, of the city of Topeka? A. I do.

Q. How long have you known Mr. Henrie? A. About five years, I think.

Q. Where were you living during the month of October, 1888? A. I was living at Westmoreland, in this state.

Q. You may state to this Committee if you met, at any time during the month of October, 1888, Mr. C. A. Henrie in Pottawatomie county. A. I did.

Q. Please state when it was, and where. A. It was on the evening of the 23d, as I remember, of October, 1888. He came to my place to see his sister, and on the 24th—the next day—he was there in town with me at my office, and visited a number of the men—politicians and business-men; and I think on the morning of the 25th I took him to Blaine, in the same county. I was going to take him to his parents, who lived three and one-half miles north of there.

Q. If there is any circumstance connected with the transaction that fixes the date upon your mind, I wish you would relate it, please. A. There were only two that I remember; one is I had a driving-team of my own, and one of them was lame and unable to travel, and I went to the livery stable and hired one to put with mine, and like all lawyers, it was charged to me. The charge was on the 25th of October; and that was the day I took him to Blaine. Another circumstance is, there was to be a meeting at Westmoreland at which my father, and Senator Emory, and some other gentlemen were to speak; and I stayed at home and visited with Mr. Henrie instead of going to the meeting. That was the other circumstance.

Q. Do you remember whether that was the 23d or 24th? A. I do not. I remember Henrie was at my place two nights, but I do not remember whether it was the 23d or 24th.

By Mr. Henderson: Q. You say you are an attorney? A. Yes, sir.

Q. You live at Westmoreland? A. Yes, sir.

Q. What relation are you to Mr. Henrie? A. I married his sister.

Q. He came to your house to see your wife? A. Yes, sir.

Q. You are his brother-in-law? A. Yes, sir.

Q. You have been consulted by him in reference to this investigation, more or less? A. I have, more or less—yes, sir.

Q. Have you been in any conversation with him in which the subject of your testimony was discussed? A. No, sir; I have not.

Q. You never told him what you would testify to? A. I made an affidavit some time ago.

Q. The affidavit that you made in his behalf was that which caused you being subpoenaed here? A. Yes, sir; I suppose so.

Q. Did you converse with him at the time you made the affidavit as to the contents of it? A. No, sir; I made the affidavit myself.

Q. At whose instance was the affidavit prepared? A. I do not remember now. I suppose Mr. Henrie wrote me.

Q. Is it not a fact that it was at the instance of Mr. Henrie? A. I suppose so. The witness was excused from further attendance upon the Committee.

JOSEPH REED, being duly sworn, testified as follows:

Examined by Mr. Curtis: Q. You may state your name to the Committee. A. Joseph Reed.

Q. Where do you reside? A. Topeka, Kansas.

Q. Now, how long have you resided in the city of Topeka? A. Very nearly fourteen years.

Q. What is your profession? A. Lawyer.

Q. At this time do you hold any appointed position? A. Commissioner of elections of Topeka.

Q. How long have you been commissioner of elections in this city? A. Since March, 1889.

Q. As commissioner of elections, I will ask you to state what books, if any, you have in your possession that were kept by the clerk or judges of election on election day? A. I have the registry books, in which the names of all voters in this city are registered; and of course the tally-sheets go to the county clerk and city clerk—to the county clerk in county elections, and to the city clerk in city elections; but there is a separate report before either of these are sent out, sent to me as a check.

Q. Have you the report in your possession of the persons who voted in the city of Topeka at the November election of 1888? A. I have the tally-sheets that I obtained from the county clerk.

Q. Can you tell from examination whether it is a true sheet? A. It is simply sworn to.

Q. I will ask you to turn to the tally-sheet and inform the Committee whether or not Mr. C. A. Henrie voted in the city of Topeka, as shown by that report of the election of November, 1888? A. [Witness referred to the tally-sheet.] Mr. C. A. Henrie voted at the election of 1888, November 6th, 1888, in the 4th ward, 5th voting district of the city of Topeka, the 543d number of the tally-sheet.

Q. What does that indicate? A. That indicates the name and number of the electors on the tally-sheet; it indicates that he voted, and that there were 980 votes polled in that precinct on that day. I should judge that he voted sometime in the forenoon. That is just an opinion, though.

Q. That represents the number—that that many voted before him? A. There were 542 voted before him.

Q. Do you know Leland J. Webb, of this city? A. I know Leland Webb; I have known him, I will say, seven years, maybe longer than that.

Q. State whether or not you are acquainted with Governor Humphrey and Judge W. C. Webb? A. I have known Judge W. C. Webb for 14 years, and Governor Humphrey since he was Lieutenant Governor—I do not know how long ago.

Q. Do you remember hearing of Leland J. Webb testifying in this case? A. I remember of hearing of it.

Q. I will ask you to state to this Committee if you had any conversation with Judge W. C. Webb in reference to Leland J.'s testimony on the morning that he testified? A. Well, of course if I am forced to answer the question, I will have to answer it. I will say yes, sir.

Q. Did you, upon that same morning, and before Mr. Webb had testified, have a conversation with Governor Humphrey? A. I did.

Q. In regard to Leland testifying? A. In regard to what Leland would testify to, and what Judge Webb told me to tell him.

Q. You may state to this Committee what you informed the governor, and what W. C. Webb told you.

Judge Webb objected to the form of the question, and counsel withdrew the question.

Q. You may state what W. C. Webb told you? A. Judge Webb said to me that Governor Humphrey was in peril; I think that was his exact language; that he had got a telegram from Leland from Lawrence that he was on his way to testify in this case. He wanted me to go down and see the governor, and find out whether the governor was a friend of his or not, and tell him the circumstances about Leland coming here to testify; and I went down and saw the governor.

Q. Well, what did you tell him? A. I told him the Judge felt as though he was not very friendly to him in reference to the appointment of the supreme court commissioner. I think last July, I am not certain about the time, that he understood that he was to have that appointment; and a great many of his friends understood it, myself among the number. And that I came down at the Judge's request, having been a friend of the Judge for a great many years, and a friend of his, and I asked him about the appointment of circuit judge of Shawnee county. He said he had already made up his mind in reference to the appointment; that the bill was not signed yet, or printed; that a committee of the bar had waited upon him already, and that they were against Judge Webb; that he would under no circumstance appoint him, and that if Mr. Leland Webb or any other person knew of anything of importance they should tell it. That he was very intimate with Leland; that he was around there more or less, three or four years ago; that he might have requested him to make an affidavit in the Henrie case, but he could not remember anything about it, if he had, and that if he had, he had not requested him or any other man to make an affidavit in the C. A. Henrie case different from the truth; that he had nothing to fear; that if any person knew anything in the case he was at perfect liberty to tell what he knew; that he knew nothing about Henrie's appointment until several months afterward; and that he did not appoint him, that this man Betton appointed him; and that he would have nothing to do with anything of that kind in any way, and did not fear anything in reference to it. I want the Committee to understand that I am forced to make these answers; these communications were confidential.

Q. What, if anything, did Judge Webb say to you about Leland J. testifying before this Committee if he was not appointed circuit judge? A. If you ask me that question in that way, I could not answer it, for he did not say anything about it in that connection.

Q. What did he say about Leland J. testifying, and what he could do to prevent him from testifying, if anything? A. That is the part of what he told me that I cannot remember exactly. Something he told me to tell the Governor, that Leland was in Lawrence, and had telegraphed him that he would be here, and he did not understand why he came here at that time; and while he would not ask any child of

his to commit perjury under any circumstances, still he preferred that Leland should not testify, and he wanted to know whether or not the Governor was a friend of his.

Q. What did he mean by the Governor being friendly to him? Did he say anything about the appointment of circuit judge? A. He said he wanted the place, of course, and he felt as though Governor Humphrey had treated him very badly, and he used language characteristic of the Judge, about him, of the kind that makes a great many dislike him, and other people like him, because he is so frank.

Q. Well, did he say anything could be done to keep Leland from testifying? If so, what was it? A. I do not think the Judge did. I do not think he said anything about what could be done.

Q. Did he say he could be kept away from here? A. I do not believe the Judge did.

Q. Did you afterwards see Leland J. Webb? A. Yes, sir.

Q. After you had this talk with Governor Humphrey, what did you do then in regard to the matter? A. I reported it to Judge Webb what the governor said.

Q. What did he say about it? A. He said he was very busy, and wanted to know if I would go up and see Leland.

Q. Did you go? A. Yes, sir.

Q. You may state if you had any conversation with Leland J. Webb in reference to his testifying before this Committee, or your conversation with Governor Humphrey; and if so, state to the Committee what was said by you and what was said by him? A. Leland said that—I told Leland substantially what the governor had said. Well, I told Leland that I had come there at the request of his father; that the old gentleman wanted me to come up and tell him what the governor said in reference to this matter. I then told him that the governor said that he never had requested him to make any affidavits for anybody that were untruthful; that he could not remember just exactly what had occurred between them two or three years ago, but that he was positively certain that he never had made any request of him to make any affidavits that were false. Leland says: "While I do not wish to hurt father—he has been too good to me for me to do anything to injure him in any way, or to injure his prospects—but if that is the way Governor Humphrey talks, I will put my coat on and go right down town now." Then he went on, of course, with a long talk about how the governor had treated him and his father.

Q. When you first got there, what, if anything, did he say about his having been subpoenaed, and what he did with the subpoena? A. When I got there Leland came down in his stocking-feet, and said he had just returned from the east and had a very bad attack of pneumonia; that the paper had been left at his house and that he knew nothing about what it contained. He said, "It is there on the table."

Q. Did he take it up and do anything with it while you were there? A. I took it up and looked at it.

Q. What did you then do with it? A. I put it in my pocket.

Q. At whose request? A. I do not know at any request. I think Leland said, "Show it to father," and I put it in my pocket. It was to appear on the— I do not remember, there was some mistake made in the subpoena; some clerical error.

Q. What, if anything, did he say about avoiding testifying here? A. He said he could—he was not able to leave the house; he was sick and not able to come down, anyhow, and it was easy enough to get a doctor's certificate that he was unable to come.

Q. Did you tell him, in the course of conversation, that the governor had already made up his mind whom he would appoint as circuit judge? A. I do not remember positively about that. If I told Leland so, I do not remember positively about that.

Q. Did you inform him that he would not appoint Judge W. C. Webb? A. I did.

I told him what the governor said, that under no circumstances would he appoint Judge Webb; that the committee of the bar had requested him not to do so.

Q. Now, was it before or after you had informed him that the governor would not appoint Judge W. C. Webb, that he said to you that he could get a doctor's certificate that he was not able to come down and testify? A. I do not think it was in the conversation, but I cannot remember. It was the principal part of Leland's conversation, that he did not want to do anything to injure his father.

Q. That was before you told him that his father could not be appointed? A. Yes, sir—I would not say; I think I told Leland; I would not be positive that I told him deliberately that he would not be appointed. General Bradford told me the man was Captain Johnson. It had been offered him, and I knew Johnson would take it.

Q. It was after you had told him this, that is, that the governor had said a committee of the bar had opposed the appointment of Judge Webb, and after you had informed him what the governor had said about the matter, that he said he would put on his coat, and come right down and testify? A. Yes, sir.

Q. Did he put on his coat and come down town? A. I rode down with Mabel, Leland's daughter, to the state house. It was snowing very hard. I came into the representative chamber and tried to hunt the Judge up and Sam Wood; and I was talking with Sam Wood about some matters and happened to look around and saw Leland sitting in a chair in the back part of the representative chamber. I said, "Sam, Leland is there;" and Sam said, "Yes, sir, they have attached him."

Q. Did he say who had attached him? A. No, sir.

Q. Well, from what you had been talking about, did you know what he meant when he said they had attached him? Do you know whether or not this Committee was meant? A. This Committee, is the way I understood it.

Q. He had not at that time testified, had he? A. No, sir.

Q. Do you know whether or not he had any talk with his father, Judge Webb, before he did testify? A. I do not know anything about that.

By Judge Webb: Q. Do you remember what day it was you first talked with W. C. Webb upon this subject? A. No, sir; I do not. It was the day after the bill creating the circuit court was passed in the senate. That is the way I remember it.

Q. Was it upon the same day you called at Leland's. A. Yes, sir; it was most all in the forenoon.

Q. Was it on that same day that Leland was seen by you in the representative hall? A. Yes, sir; late in the afternoon.

Q. Now, before you had any conversation with the governor in reference to the matter, you talked with W. C. Webb? A. Judge Webb; yes, sir.

Q. And he requested you to go and see the governor? A. Yes, sir.

Q. What did he ask you to say to him? A. He told me to tell the governor that Leland was in town; that he had a telegram from him—telegraphed him from Lawrence—and was in town to testify in the Coffeyville business.

Q. Just fully state all the conversation you had with him in reference to the governor. A. And to have an understanding with him; to talk with the governor with reference to whether or not he was his friend.

Q. Well? A. He said that the governor was in peril; that while he would not ask his children to commit perjury under any circumstances, still, if the governor was his friend, he wanted to protect him; but if he persisted in treating him in the way he had been treating him, which treatment was—he said the governor had treated him as a son-of-a-bitch.

Mr. Carey objected to the language of the last part of the answer, and said he

thought it ought to be excluded from the record. A majority of the Committee was in favor of allowing the record to show the exact language used by the witness.

Q. I want you to repeat what W. C. Webb said; whatever expression of ill-temper or words he used, and what you said, just as it took place between you and W. C. Webb, before you went to the governor. A. He said he had received a telegram from Leland, from Lawrence; that Leland had walked into the representative chamber that morning; that he was now home and prepared to testify in the case; that he was a candidate for judge of the circuit court; that the bill was gotten through by him; that the governor had lied to him, and had deceived him and his friends to such an extent that he would not take his word for anything. He wanted me to go down and tell the governor his feelings, and report to him whether or not the governor was his friend. He said I had always stuck up for the governor, but that I did not know him as well as he did; that when he first came to town his office was the constant place the governor went to, and he owed his nomination to him and his influence; that he had gone back on him in the appointment of commissioner, when it was understood that he should have the appointment. He wanted me to express to the governor his feelings, and state to him what he had said to me, and report to him. And I did report to the governor what I have testified to here, as close as I can now remember it.

Q. You told the governor what Webb said concerning him? A. Yes, sir; as close as I can now remember it, exactly as I have detailed here.

Q. Now then, in that conversation did Webb tell you what Leland would testify to, concerning the governor? A. I do not think he did.

Q. After you had seen the governor and talked with him, you then returned and saw W. C. Webb before you went to Leland's house? A. Yes; and at his request went to Leland's house.

Q. What did he request you to say to Leland? A. He said to me, "There is Mabel; she will carry you to Leland. You tell Leland that I cannot come out. You tell Leland exactly what the governor said, and tell him I will try to see him this evening."

Q. You then did go to Leland's house to see him? A. Yes, sir.

Q. Now, what conversation did you then have with him? Give it fully. A. I told Leland that the old gentlemen, the judge, had requested me to come up and see him; that he had asked me to go down to the governor and state to the governor certain facts—state to the governor what I did state to him—and state to Leland what I had stated to the governor. I then told Leland. Leland then says, "I had rather lose \$500 than to fail to testify in this case." He then told me about seeing a man by the name of Taylor who was a candidate for governor at the time Governor Humphrey was, and finding out from him, telegraphing to Humphrey that he was not a candidate, but corraling the vote; how him and Dick Walker aided largely in the governor's nomination and election; and that while he was not an applicant or candidate himself, still he felt as though the old soldiers should be given a preference, and given all the official appointments; that he had a man by the name of A'Neal that was an applicant for the position held by Henrie, and insisted that A'Neal should have it, but he did not get it; that Bill Higgins had offered to appoint his brother-in-law to a position and lied to him; that Humphrey had treated him in a most contemptible manner; that he was absolutely and thoroughly unreliable, and had gone back on all his friends; that he was a friend of Humphrey's two or three years before his nomination; and then he detailed to me what the governor said to him.

Q. Upon what subject? A. Upon the subject of Henrie's affidavit.

Q. Just tell what he said about that. A. He said he was going by the governor's

office, and the governor called him in, and said: "Webb, Bill Hackney and Greer are away, and I want you to make an affidavit for Henrie in reference to that Coffeyville matter, and we have agreed that you are the best man to make one. We want to get the affidavit, for we are afraid that Henrie will go back on us." Well, we talked about a hundred things that have naught to do with this matter. We talked about Brother Botkin and everything else.

Q. Have you related as near as you remember all that was said by you upon that subject at that time? A. Of course as near as I can remember it. I did not think I would ever be called upon in this case.

Q. Do you know whether, when Col. Wood told you that they had attached Leland, it was for the purpose of giving testimony before the committee on state affairs, or on this Committee? A. Col. Wood told me it was the committee on state affairs that Leland was subpoenaed to appear before, and not the Coffeyville committee. Leland understood it was the Coffeyville matter. I went to Col. Wood at Leland's request, and asked him if he could not be excused. It was the committee on state affairs—I remember now.

Q. Is your name Reed? A. Yes, sir.

Q. The position of commissioner of elections here is an appointive position, is it not? A. Appointed by the governor; yes, sir; four years.

Q. That would naturally indicate that you are a republican? A. I am a republican, and always expect to be one—a regular stalwart.

Q. You have been acquainted with my brother for a considerable length of time? A. I have been Judge Webb's personal and political friend for fourteen years; I look upon him as a father and always have.

Q. He is a pretty emphatic, out-spoken fellow, is he not? A. The nicest old man on earth, but rather emphatic.

Q. Did you understand from anything he said to you that the actions of Governor Humphrey in either appointing or refusing to appoint him to the judgeship would have any effect upon what he would try to induce to be shown in evidence in this investigation? A. No, sir. I will qualify that; I understood from Judge Webb just this: Leland if called to the stand would testify to the exact facts as he detailed them to me, but if it could be evaded in any way, if he could be excused from testifying, of course he would do it.

Q. That if he were sworn he would tell what he knew? A. That he would not ask any child of his to commit perjury.

Q. In the conversation which you had with him you say he told you that the Governor was imperiled? A. That is the exact language—that the Governor was imperiled.

Q. Did he then suggest to you what facts Leland did disclose or what facts Leland would give if called to the stand? A. I do not think Judge Webb did.

By Mr. Curtis: Q. I will ask you to state if you have in your possession the registry books of the year 1888? A. Yes, sir.

Q. You may state whether or not they contain the names of the registered voters of the city of Topeka, in the fourth ward, fifth voting precinct, for 1888, and the names by which they were registered as voters. A. They do.

Q. Will you please turn to the name of C. A. Henrie, for the year 1888, and inform this Committee what the records show as to the day he was registered and his residence? A. The record shows "C. A. Henrie, printer, 28 years of age, 119 West Fifth street."

Q. What day? A. October 19th, 1888.

Q. And how is that Henrie spelled? A. H-e-n-r-i-e.

Q. I will ask you to state whether or not a person is required to be present at

the time he is registered as a voter? A. This record was kept by Mr. Geo Tauber, city clerk. The law has always required that a person must personally appear to be registered. I have always enforced it in every case, myself. Whether or not Mr. Tauber did, I am not prepared to say. It is made a penal offense not to do it, and I think Mr. Tauber carried out the law. He is a very conscientious and careful officer.

Q. Did you say that Leland J. Webb said to you, after you informed him that you talked to the Governor, that he would rather lose \$500 than to fail to testify before the Committee? A. Yes, sir; but he did not want to hurt his father—he had been too good to him, which is true.

Q. Did not Judge Webb inform you that it could be arranged so that Leland would not be here to testify? A. I think so, Mr. Curtis.

Q. Now, what did he say upon that subject? A. He said Leland was at the house; had very foolishly walked into the representative chamber; that he told him to go home; he was expecting to have a conversation with him up there, and he wanted me to go in his stead, or telephone him that I was coming up, or something of that kind. The whole tenor of the Judge's conversation was that if Leland was called upon to testify—

Q. What did he say about Leland, or what arrangements could be made to keep him away from here and keep him from testifying? A. I think the Judge said that Leland was sick and was not able to come out, and the Judge thought that could be arranged all right, or else he could leave.

Q. Now, when you visited Leland at his house, is it not a fact that he was in hiding—not at home only to those he knew were all right? A. It was a fact.

The witness was excused from further attendance upon the Committee.

The Committee adjourned to meet at 2 o'clock P. M.

TOPEKA, March 30, 1891—2 o'clock P. M.

Committee convened pursuant to adjournment; a quorum present.

GEORGE H. EVANS, being duly sworn, testified as follows:

Examined by Mr. Dawes: Q. State your name. A. George H. Evans.

Q. Where do you reside? A. Topeka, Shawnee county, Kansas.

Q. Are you acquainted with Judge W. C. Webb? A. Yes, sir.

Q. Do you know his son, Leland J. Webb? A. Yes, sir; I am acquainted with him.

Q. You may state to the Committee if at or about the time the house of representatives passed a bill creating a circuit court in Shawnee county, in 1891, if you had any conversation with Leland J. Webb concerning his testifying as a witness before this Committee, also concerning the appointment of his father as judge of that court. A. I had a conversation with him—yes, sir.

Q. Please state fully to the Committee that conversation, where it was, when it was, and all about it. A. I went to his house and told him that there was a subpoena issued for him to appear in this Coffeyville affair, and that he should if possible avoid the serving of the subpoena until after he had talked with his father in regard to the matter.

Q. At whose suggestion did you tell him that? A. At the suggestion of Judge Webb.

Q. Go on with your statement. A. He said he proposed to go onto the stand and testify, and tell all he knew about the matter; that he had protected Governor Humphrey long enough, and he did not propose to screen him any longer. I then

talked with him a little further, and he said, "Well, I am in the hands of my friends; of course I do not want to do anything that will hurt the old man's chance for the judgeship down there," but he said that a promise from Governor Humphrey would not be satisfactory to him unless he put it in black and white; otherwise he would go on the stand and tell all he knew.

Q. Did you see Leland Webb that day, before going to his house? A. I saw him — yes, sir; in representative hall.

Q. About what time in the day? A. It was sometime about eleven o'clock that day. He had just got in, he told me, from Kansas City, on the train.

Q. Where did you find him when you went to the house? A. He was in the parlor, west room.

Q. After having your talk with him, what did you do? A. Well, I got my dinner and then I went down to the governor's office.

Q. Did you have any conversation with the governor? A. Yes, sir; I told Mr. Smith I wanted to see the governor and talk with him a little; and he opened the door and I went in; I told the governor the conversation I had with Leland Webb; and, as I had been there before, on not a similar errand, but had been there once as a friend to see him about a certain matter shortly after the election, and at that time I —

Q. Just state this last conversation. A. That is what I told him. I told him I was not sent by Leland, or Judge Webb at that time; but being friends of them both, from what Leland told me, it seemed as though from things he had indicated, if there was any way to fix up the matter, it ought to be fixed up. He, the Governor, said, "I am tired of this Leland Webb racket. I hate to be bulldozed, and I do not propose to be. If he knows anything to tell, he should tell it. I do not fear anything he knows. He may tell all he knows. I am tired of the whole business. I have no objections to him telling it."

Q. He didn't agree to appoint Judge Webb, did he? A. No, sir; he did not agree to do anything, and said he would not agree to do anything. His time had not come yet, and when it did he would use his best judgment, or something of that kind.

Q. Did you see Leland after that? A. I have never talked to him about the matter since.

Q. You did not get anything in black or white? A. No, sir; I did not.

Q. Did Leland say anything about what he would do, providing the Governor did not make a promise in behalf of his father, in black and white? A. He said he would go onto the stand and tell all he knew about it. He didn't think it would be very good reading for the executive of this state.

Q. Didn't he say he would make it hot for the governor? A. He may have said something like that.

Q. Well, what is your best recollection about that? A. Well, I think he said he would make it hot for him; not perhaps quite in that language, but that in substance.

Q. Did he say anything as to how he would avoid testifying, provided the governor put it in black and white? A. He said he would take the train and go away.

Q. You informed the governor of that fact, didn't you? A. I think I told the governor that, considering the matter from Mr. Webb's standpoint, in case of an emergency of that kind that he was willing to leave, provided his father was appointed, or had the promise, but would not take his word for it.

Q. He did not seem to have a brotherly love for Governor Humphrey, did he? A. No, sir; he did not.

Q. You say you had had another conversation with Judge Webb, I believe, about

some appointment prior to that time? A. Yes, sir; I had a conversation with Judge Webb sometime in November.

Q. Upon the subject of an appointment? A. Yes, sir.

Q. Will you please tell the Committee what was said? A. Well, I will tell as near as I can, or a part of it at least. I think I met Judge Webb on the street, and he told me he would like to see me and have a talk with me. The Judge and I were very warm personal friends, and always have been, and so I went down there and he told me what he wanted, or would like to have.

Q. What did he say he wanted? A. He first went on and told how he had always been a warm friend of Governor Humphrey, what he had done for him, and he had been his adviser when he first became governor, and advised with him as to certain appointments and said he would like a certain appointment. He said he would like for me to go to the governor and tell him just what he would like; first, that he would like to be one of the supreme court commissioners.

Q. If he could not get that, then what? A. He would like to be insurance commissioner.

Q. If he could not get that, then what? A. He wanted to know, as a last resort, whether or not the governor would appoint him one of the commissioners, providing he took the chances of raising the number of commissionerships to four.

Q. At the last session of the legislature, just adjourned? A. Yes, sir.

Q. If he got the number increased to four? A. If the governor would appoint him then.

Q. Did you go to see the governor about it? A. I went to see the governor.

Q. What did the governor say? A. Well, he impressed me very well with the idea of appointing him.

Q. Did he say he would appoint him? A. He said he would not make any promises.

Q. Didn't he say that would be a matter of future consideration, as the matters came up? A. Yes, sir; I think he did say that.

Q. Now, when you were told by Judge Webb to go to the governor, did he ask you to state to the governor any conditions upon which this appointment, or either of them, should be made; that is, what the governor might depend upon if they were not made? A. My recollection is now, that he desired to impress upon the governor that he had always been his friend, and stood by him in his first fight, and he would stand by him in anything that might come up.

Q. Provided he did one of these three things? A. I do not know as he said it in that way. The judge seemed always to talk very friendly towards the governor.

Q. I will ask you this question: If Judge Webb didn't tell you to say to the governor, if he wanted him to defend his administration, that he wanted him to do one of three things, and then enumerated these three things—these three appointments? A. I think he used the words, "I will defend his administration and stand by him."

Q. If he would do this? A. Yes, sir. I do not think he said he would not if he didn't.

Q. He would if he did do one of these three things—any one of them? A. Yes, sir.

By Judge Webb: Q. Do you remember the time you had the first conversation with Judge W. C. Webb, which you have mentioned? A. No; it was sometime in November, after election.

Q. Where did it take place? A. In Judge Webb's office on Quincy street, between Eighth and Ninth.

Q. Do you remember substantially what that conversation was, so as to relate

it as it occurred? A. Well, no; only the main points, and they impressed themselves upon my mind at that time.

Q. Was this Coffeyville accident or misfortune the subject of conversation then? A. No, sir; it was not.

Q. What was the subject of that conversation — the one you spoke of in his office in November after the election? A. It was simply that he asked me to call upon the governor and see him about what he would do in certain matters that he wanted.

Q. Well, he told you what these matters were? A. Yes, sir.

Q. What were they? A. One was the appointment of another supreme court commissioner, one was insurance commissioner, and the other was also supreme court commissioner, provided he got the bill through increasing the number from three to four.

Q. He wanted you to ascertain whether, in that event, the governor would appoint him? A. Yes, sir.

Q. You did talk to the governor about it? A. Yes, sir.

Q. And the overnord did not give you any assurance that he would appoint him, but said he would make no promises as to what he would do. A. That is what he told me — yes, sir.

Q. Was that the conversation in which he mentioned his willingness to stand by Governor Humphrey or to stand by him so far as he could in his administration? A. Yes, sir; that was the time.

Q. What did he say in that respect? A. Well, he simply said that he had been a friend to Governor Humphrey and he would stand by him.

Q. Was there anything at that time talked about which indicated that Governor Humphrey needed to be vindicated or sustained by anybody? A. No, there was not, I believe. Of course there was a change of parties in power in the house; these things were talked over but nothing —

Q. Webb had been elected to the legislature a few days before, hadn't he? A. Yes, sir.

Q. It was known that a very decided majority of the members of the house were adverse in politics to Governor Humphrey? A. Yes, sir.

Q. Webb said to you that he had always been friendly to Governor Humphrey, and would do all he could to sustain him as governor? A. Yes, sir; he said that.

Q. Did he say anything more than that in reference to his willingness to support Governor Humphrey? A. He simply said what he had done.

Q. He said he had been friendly to the governor theretofore? A. Yes, sir.

Q. He said he would do what he could to sustain his administration? A. That is what he said — yes, sir.

Q. Did you understand that was a promise on his part to do what he could to shield Governor Humphrey from alleged crimes, or to sustain him as governor in view of the fact that the majority of the legislature were opposed to him in policy? A. That is what I inferred from what he said.

Q. Which was it, to vindicate him against alleged crimes, or to sustain him politically? A. I think to sustain him politically.

Q. Did he at any time talk to you previously to the meeting of the legislature concerning any imputations or accusations which had been made against Governor Humphrey in relation to the Coffeyville accident? A. He never did.

Q. You had a conversation with him after this Committee met, concerning the subject of inquiry which was referred to this Committee, did you? A. I do not think I ever had, except I talked with him a little to-day about it.

Q. Well, after having one conversation with W. C. Webb, you went to the house of Leland J. Webb? A. We did not have much of a conversation; just told me to

go up there and tell Leland that they had a subpoena out for him and not to let them serve it until he saw him.

Q. Was that all he said? A. I said I would send my book-keeper; I was going down to the office. "No," he says, "go yourself." That is all.

Q. During the conversation which you had in November at the office, Webb's office, was there any conversation concerning Leland at the time Webb wanted you to ascertain whether the governor would appoint him to this, that or the other office, was there anything said about Leland? A. There was nothing, except Judge Webb told me that I could say to the governor, which he knew, he supposed, that Leland had prepared an article to publish on him, and a couple of their friends here had gone down to his office and got him to keep it out of the G. A. R. paper; that was all.

Q. Did you learn during that conversation the subject-matter or character of the article which Leland had written, and which they prevented the publication of? A. No, sir; they did not say anything to me about it. I saw the article once, but did not read it. It was in type.

Q. That is the only allusion you made to him during the November conversation? A. Yes, sir.

Q. After the legislature had convened, and Leland had been subpoenaed, or a subpoena had been issued for him rather, his father asked you to see him and tell him not to have the subpoena served, or to avoid the service upon him until he had seen him? A. Yes, sir; until he had a talk with him.

Q. You went down to Leland's house and communicated to him just that message? A. Yes, sir.

Q. Did you have any conversation with Leland then, in reference to his being subpoenaed, or his giving testimony? A. When I went in and told him what his father had told me, he said he did not propose to defend Humphrey any longer; that he was going on the stand and tell what he knew. He said a good many things that came up, one at a time.

Q. Did he tell you what, if sworn, he would testify to? A. He gave me to understand this—one thing that I did not know before—that he had been called in as counsel in the governor's office about preparing some affidavits in regard to a man of the name of Henrie. Further than that, he did not say anything about it.

Q. Did he tell you whether he did or did not prepare the affidavit? A. Yes, sir; he said he did not, I believe.

Q. Did he assign any reason why he did not prepare them? A. It seemed from what he said he did not like Humphrey.

Q. You drew that inference from what he said. Now what was it he said from which you inferred that? A. He said he did not propose to prepare any affidavits to defend Governor Humphrey; that he had never been his friend.

Q. Is that all the reason you remember he assigned? A. That is about all I remember, I believe.

Q. Is that the last conversation you had with him upon the subject? A. I do not think I have seen him since.

Q. Have you had a conversation with his father, W. C. Webb, since in reference to that subject? A. No, sir; except a little talk to-day.

Q. You were in conversation with him to-day about it? A. Yes, sir.

Q. Where? A. Down to his house.

Q. Did you talk over the previous conversation which you had had with him, and which you have related here? A. I think in substance—yes, sir.

Q. You say you have talked with W. C. Webb to-day? A. Yes, sir.

Q. You talked over substantially the matters which you have detailed here? A. Yes, sir.

Q. And conversations of former dates? A. Yes, sir.

Q. Now, did he give any reason to you why he desired Leland to avoid the serving of a subpoena upon him until he could see him? A. Well, he said he preferred Leland not to mix in the matter at that time. It was just about the time that bill passed.

Q. Did he say anything to you about any ambition or aspirations that he himself had? A. No, he did not say anything about it. He was taking his chances with the rest of them, he said.

Q. And he at no time intimated to you what Leland claimed or pretended or would testify to if he was sworn? A. No, he did not pretend to say to me what he knew or what he would testify to.

Q. Did Leland tell you what he knew or what he would testify to in the conversation that you had with him in the house? A. That is about all he told me. He might have said some other little things that I cannot recall to mind at this time.

Q. In your conversation with W. C. Webb to-day did you repeat to him what he had said to you on the other occasions? A. Yes, sir.

Q. No differences of opinion or misunderstanding between you and him about the character of the conversation? A. I think not — no, sir.

Q. You reside here, Mr. Evans? A. Yes, sir; in Topeka.

Q. I think you said the length of time you have been resident here, how long? A. Twenty-five years.

Q. And what is your business, employment? A. Building and contracting.

Q. Are you connected with the prosecution of the work upon this building? A. Yes, sir.

Q. One of the state house contractors? A. Yes, sir.

The witness was excused from further attendance upon the Committee.

C. M. FOULKS, being duly sworn, testified as follows:

Examined by Mr. Curtis: Q. State your name to the Committee. A. C. M. Foulks.

Q. Where do you reside? A. Topeka, Kansas.

Q. What is your business? A. Claim agent of the Santa Fé railroad.

Q. How long have you been claim agent for the Santa Fé? A. About nine years.

Q. I will ask you to state if from your official position with the Santa Fé railroad company you have had at any time any experience or obtained any information as to the explosive qualities of photographers' outfits? A. I have had no experience. I have had information of an explosion that occurred on the line, of a photographic outfit.

Q. What kind of a one was it? A. It was goods that were loaded in a trunk under a check. It had been checked from Denver, I believe, to some point in New Mexico; and they were being carried in a baggage car from Denver. When they arrived at Albuquerque, in transferring their baggage from the car, while the men were in there at work, this explosion occurred. Afterward, in tracing up and finding who the property belonged to, we ascertained it belonged to a photographer in Denver by the name of H. W. Jackson.

Q. Did you ascertain whether it was a regular photographic outfit or an amateur's? A. He was a regular photographer, and does a great deal of railroad work for advertising purposes.

Q. Was it an outdoor outfit? A. I could not say.

Q. Do you know anything about what was contained in the trunk that exploded?
A. No, sir; I do not.

Q. You may state to the Committee how extensive the destruction of the property was, from the explosion? A. The car in which the trunk was at the time of the explosion, was damaged to the extent of \$284.57, less \$11, which was the damage to three additional cars which were in the same train. It damaged four cars altogether; one was damaged \$273.57, and the other three cars to the amount of \$11.

Q. Can you tell from your report, whether or not the nature of the damage—whether it broke all the cars to pieces, or the bottom, or anything of that kind? A. I have an itemized statement of the damage to the car, and the total; and in addition to that, it injured two men.

Q. Read the injury to the car, please. A. It is pretty long.

Q. Did it destroy the bottom of the car? [Witness reads from a paper.] A. 113 feet of oak, 66 feet of ash, 389 feet of poplar, 81 feet of walnut, 217 feet of pine, 16 pieces of brass-wire screen 12x39, 32 boxes of sash glass, 16 door glasses, two center lamps, two side lamps, one stove pipe, three bell cord hangers, three bell cord hanger straps, twelve sheets of tin, three pounds of solder, ten pounds of nails.

Q. Did you ascertain how much there was in the outfit; how large a photographic outfit it was? A. No, I did not; it was blown to pieces.

Q. How much was left of the trunk? A. No, I do not know.

Q. What part of the car was the oak put in? A. I should think it would be the walls, or uprights.

Q. Also, as I understand you, it destroyed two other cars in the same train, or injured them? A. It damaged slightly three other cars on the same train.

Q. What was the date of that, and how badly were the men injured? A. The date of that was February 9th, 1891. The report gives, in the case of Richard Gentry, slight cuts and bruises on the lower limbs and face burned, and the other was just the same; both seemed to be injured in the same way. They were off duty thirty-one days by reason of their injuries.

By Mr. Henderson: Q. What is the date of that correspondence, Mr. Foulks? A. The telegram was dated February 8th, 1891, and the other correspondence written after that.

Q. You received that correspondence from some person in New Mexico? A. Yes, sir.

Q. You did not see that which exploded? A. No, sir.

Q. You do not know whether anything exploded, as a matter of fact, at all. A. Nothing further than this paper indicates.

Q. You don't know whether the explosion caused the damage which you have here stated? A. No, sir.

Q. You don't know whether or not some man employed by the railroad company had something to do with the dynamite that exploded out there? A. There was no dynamite exploded.

Q. How do you know? A. I do not know to a certainty.

Q. What time did you receive the bills which you have introduced here, or from which you have testified? A. This is an estimate from the superintendent of machinery, under date of February 20th.

Q. At whose solicitation were these bills made out and handed to you at this particular time? A. These bills were made out at the solicitation of A. A. Robinson, general manager.

Q. Were they sent to you by direction of A. A. Robinson? A. They were sent to me March 14th by his instruction for some information.

Q. Did you have any talk with Governor Humphrey about them? A. No, sir.

Q. Did you have any talk with Bill Higgins? A. No, sir.

Q. Who did you tell? Anybody connected with this investigation? A. I do not know as I told anybody. There were inquiries made of me whether there had not been an explosion.

Q. When were these inquiries made? A. It must have been two or three weeks ago.

Q. Who made them? A. Bion S. Hutchins.

Q. Is that the only conversation you had with any person connected with this investigation in reference to that matter? A. So far as I know.

Q. When were you subpoenaed? A. I have not been subpoenaed; he called over to the office, and asked if I would bring the papers over and testify.

Q. Then you had a conversation with him about the matter? A. All that was said.

Q. You are a republican? A. Yes, sir.

Q. You are now connected with the Santa Fé? A. Yes, sir.

Q. And have been for many years? A. Yes, sir.

Q. And the Santa Fé building is very convenient to the state house? A. Yes, sir; very.

By Mr. Curtis: Q. These papers, Mr. Foulks, are such as are upon file as the report of a case in your office, are they not, as claim agent of the Santa Fé railroad company? A. Yes, sir.

Q. Didn't Mr. Hutchins tell you at the time he asked you about the matter, that he had read of an explosion of that nature in the St. Louis *Globe-Democrat*? A. I think he did.

Q. And he came to you to get the official report of the matter? A. That was my understanding from his conversation.

By Mr. Henderson: Q. In either or any of the reports received, was there anything therein said which would indicate to you the chemicals that did explode, if it was a chemical explosion? A. It indicated that it was a photographic outfit, belonging to a Mr. Jackson, of Denver.

Q. Did you make any inquiries of Mr. Jackson as to the nature of the chemicals contained in that box? A. I did not.

Q. Do you know whether any person connected with the railroad company did so? A. Here is a letter under date of February 10th, from Geo. L. Sands, at that time general superintendent, stating that this baggage belonged to W. H. Jackson, a prominent photographer of Denver; said he had carried the same chemicals for years without accident.

Q. Then there is nothing in your possession to indicate what the chemicals were? A. No, sir.

Q. The articles mentioned in the bill from which you have testified were simply a statement of what was necessary for the repair of that car? A. Yes, sir.

By Mr. Carey: Q. I will ask you to state again where this explosion occurred. A. Albuquerque, New Mexico.

Q. Did you have the supervision of claims either for or against the company in New Mexico? A. Yes, sir.

By Mr. Templeton: Q. Was there any collision or anything to cause this explosion or spontaneous combustion? A. It was on a regular train, and I presume they were transferring baggage, although I do not know about that.

Q. Do you know whether the baggage was being roughly handled? A. I do not know as to that.

Q. Was it at the time when the train was standing still, or was it when the train

was in motion? A. It must have been when the train was standing still, because a clerk in the depot was one of the parties hurt.

By Senator Kimball: Q. You say that the items of material which you have enumerated were those which it was estimated it would take to repair the cars injured by the explosion, as you understood it? A. Yes, sir.

Q. I will call your attention to this letter, which is a part of the record of this claim, and ask you if that does not state with considerable particularity the damage that was done to the car? A. Yes, but not so well as the itemized account would.

Q. I wish you would state what the damage was to the car, as stated by the letter. A. [Witness reads from letter.] "Car was damaged as follows: Partitions broken, one end and one side door blown out, and roof raised at one end. And two men were injured, not seriously."

The witness was excused from further attendance upon the Committee.

C. A. HENRIZ, being recalled for further examination, testified as follows:

Examined by Mr. Curtis: Q. You have testified before in this investigation, have you not? A. Yes, sir.

Q. You may state whether or not you had any knowledge of the preparation of the box of dynamite, or other explosive substance, that exploded at Coffeyville on the 18th day of October, 1888. A. No, sir.

Q. I will ask you to state if at any time you aided or assisted any person, or employed any person to prepare a box of dynamite or other explosive substance, to be delivered to the agent at Coffeyville, or any other place. A. No, sir.

Q. I will ask you to state whether or not the state central committee, or any member of it, or any member of the county republican central committee of Cowley county, or E. P. Greer, or any other person, ever asked you or employed you to prepare, or cause to be prepared any box of dynamite, for any purpose. A. No, sir.

Q. Did you know anything about the preparation of a box of dynamite that exploded at Coffeyville; have anything to do with it in any way, shape or form? A. No, sir.

Q. After the explosion at Coffeyville did you visit Mr. Poorman, of Bellaire, Ohio? A. No, sir.

Q. Were you ever at Bellaire, Ohio, to stay any time? A. No, sir.

Q. Did you ever receive any mail there, or have any mail sent you at that place, or write any letters yourself, or cause any letters to be written and sent from the office at Bellaire, Ohio, to parties in Kansas? A. No, sir.

Q. Did Mr. Poorman, or his wife, or any other person, ever receive any letters addressed to you for you at the postoffice in Bellaire, Ohio? A. Not to my knowledge.

Q. Do you know Edward French? A. Yes, sir.

Q. Where was he living, if you know, on the 18th day of October, 1888? A. It was on Fifth street, in the city of Topeka, between Kansas avenue and Jackson.

Q. Where were you upon the 18th and 19th days of October, 1888? A. In Topeka.

Q. I will ask you to state to this Committee if after the explosion was announced in the daily papers you returned home as Mr. French was standing in the hallway of the Fifth-street entrance of No. 119½, in the city of Topeka, at the hour of between 10 and 11 P. M., and you had with you a grip-sack, as though you had just returned from a journey, at which time he spoke to you and said, "This is a nice time of night for you to come slipping in," to which you made no reply, but went on up-stairs? A. No, sir; it is not true in any particular.

Q. Did you remain at home, and by remaining home I mean at the house, all the

following day after the news was published in the daily paper? A. Why, I was there for my meals; I might have been on the streets here in Topeka, I did not go out of the city.

Q. I ask you if you staid in-doors, at home all the next day? A. No, sir.

Q. Do you remember the circumstance of Mr. French giving you a copy of the *Kansas City Times* in which you were charged with the responsibility of the explosion at Coffeyville? A. No, I do not remember of Mr. French giving me such paper.

Q. Did you request his daughter, Mrs. Lucy Barlow, to say nothing about your being at home? A. No, sir.

Q. Did you request her to tell her father, Mr. French, not to mention the fact of your being at home? A. No, sir.

Q. Did you the next few days after the report of the explosion at Coffeyville, jokingly refer to bombs and dynamite in a conversation with Ed. French? A. I do not remember of any such conversation.

Q. I will ask you if after the election was over, a suit of clothes was sent to your house in your absence; and at first you appeared to Mr. French as not knowing where the goods came from; and subsequently said to Mr. French, "I am not satisfied with the suit of clothes, but I will have the position promised me in the labor bureau, or I will raise hell"? A. I never had any conversation of the kind with Mr. French?

Q. Did you get a suit of clothes in that way sent you, and did not know anything about it? A. No; I do not think I did.

Q. Did you get a suit of clothes from any member of the republican central committee, or any republican for services? A. No, sir.

Q. Was it common talk between yourself and family, and the family of Mr. French, that you were to have a position in the state labor bureau? A. Not that I was to have a position, and not in connection with Mr. French.

Q. Did you ever at any time, inform Mr. French or any other person, that you had received the sum of \$150 for attending the convention at New York? A. No, sir.

Q. You know Mrs. Cougher, do you? A. Yes, sir.

Q. Did you at any time tell Mrs. Cougher, that the gentleman who had come in to see you was Governor Humphrey? A. No, sir.

Q. What, if anything, did you say at any time that she might mistake you to say the party that was there was Governor Humphrey? A. That time that Mr. McCray came in to see me, immediately after he went out, she asked me who he was, and I replied, giving his name, "Mr. McCray, the governor's executive clerk"; that was said at some distance, perhaps from the other side of that table to the side of this desk, one from the other.

Q. Since Mrs. Cougher testified have you had any talk with her upon that subject? A. Yes, sir.

Q. What did she say in reference to that matter? A. Just what I have stated here; that was where she quite possibly got the idea that I said it was the governor.

Q. How did it come that Mr. McCray brought to you certain affidavits while you were engaged in the labor bureau? A. Mr. McCray had had some conversation with me when I had met him on the street, or in the hall as I was coming through the building, concerning the preparation of some affidavit, or rather my own affidavit, and affidavits corroborating whatever I might say concerning the explosion at Coffeyville and my whereabouts at the time. I had secured one affidavit from a gentleman who had told me he was going to leave the city, and had mentioned the fact to Mr. McCray that I had it in my possession.

Q. By whom was the affidavit made? A. J. F. Cummings; and later on I wrote

out my own affidavit and took it over to the governor's office, leaving it there with the request that he should read it over, copy it and send it to Mr. Greer; and he returned that affidavit and Mr. Cummings's affidavit to the office.

Q. Did he have other affidavits? A. No, sir; none except these two that he returned that I left for him; I ought to state that he was not in the office, if I remember correctly, at the time that I went in; I left them with the request to be given to him when he should come in.

Q. When he returned the affidavits to you what was done with them, if anything? A. I simply threw them in my drawer of the desk.

Q. You retained possession of them? A. Yes, sir; I retained possession of them, and kept them ever since.

Q. There has been something said here about J. F. Cummings; just tell the Committee what kind of a person he was, describe something as to his age, what his business was, if you know. A. Why, he was a man, I should think, anywhere from 23 to 25 years of age, and his business seemed to be a general newspaper hustler; anything he could get to do, as far as I know. I think he worked for me at one time in that capacity as solicitor.

Q. You may state to this Committee whether or not you prepared for him a report of the meeting of the Hon. David Overmyer, that was held in this city on the 18th day of October, 1888. A. Not *in toto*; I finished a report that he had commenced.

Q. Was that report ever published in either of the papers? A. I always supposed it was until I saw the paper here the other day. I knew nothing further after leaving it at the Windsor hotel the following morning for him.

Q. Did you examine or see the registration books that were produced here this morning? A. Yes, sir.

Q. You may state to the Committee whether you appeared in person before the clerk in the city here and had yourself registered as a voter in the city on the 19th day of October, 1888, as shown by these books? A. Yes, sir.

Q. Do you remember of having any conversation at any time with Mr. Cougher about the affidavits that were left in Mr. Betton's office by Mr. McCray? A. No, I do not.

Q. I will ask you to state if you said to him in the presence of his wife, in reply to a question put by him, "Can you swear to that?" to which you answered, "I can swear to anything?" A. No, sir.

Q. Did you at any time inform Mr. Cougher in the presence of his wife that you had ever been down at Coffeyville, and that you had stopped at a hotel in Coffeyville, giving the name of the hotel? A. No, sir.

Q. Were you ever in Coffeyville? A. No, sir.

Q. Were you ever at Mr. Cougher's room, or any other place in the presence of Mr. and Mrs. Cougher, and had the following conversation with Mr. Cougher, he saying, "I don't believe you will get the job," to which you replied, "I will; they dare not refuse me now"? A. The latter sentence was never used between myself and Mr. Cougher.

Q. State what was said between you and him. A. I cannot state what specific occasion it was, but we had frequent conversations about me being employed in the bureau; I say frequent, I mean we had several during the winter of 1888.

Q. At any time in a conversation with Mr. Cougher, in the presence of his wife, did you name other persons besides yourself as being connected with the Coffeyville dynamite explosion, and named these persons as being Mr. Hutchins and Mr. Greer? A. No, sir.

Q. Did you ever admit to Mr. Cougher, in the presence of his wife, that you had been down at Coffeyville at any time? A. No, sir.

Q. Was either of the affidavits that were left in the office for you partly printed? A. No, sir.

Q. You may state to the Committee in whose handwriting that letter is, outside the signature attached [showing witness Exhibit 20, a letter dated, Topeka, Kansas, October 15, 1888]? A. It is in mine.

Q. I will ask you to examine this affidavit [showing witness Exhibit 38, affidavit of C. A. Henrie], and state to the Committee in whose handwriting it is, except the words "Subscribed to in my presence and sworn to before me this 5th day of August, 1889, W. E. Sterne, clerk of the district court, Shawnee county, Kansas;" in whose handwriting is that affidavit? A. It is in mine.

Q. You may state to the Committee what is meant by this memorandum on the back: "Copy sent to Greer, August 6th, 1889"; in whose handwriting is that? A. It is my handwriting, and it means that on that day a copy of this affidavit was sent to Greer.

Q. State if you know in whose handwriting that affidavit is, or any part of it. [Calling witness's attention to Exhibit 37, purporting to be an affidavit of Mr. Cummings.] A. He wrote that in my presence; it is in his handwriting.

Q. Who wrote the jurat, if you know? A. No, I was not with him — yes, I was too; it was written by Mr. S. S. Curtis, of the clerk's office.

Q. You may state if that is the affidavit made by Lucy H. Barlow, [calling witness's attention to the affidavit of Lucy H. Barlow, as it appears in Exhibit No. 6, which is the *Winfield Daily Courier* of September 9, 1889,] and make such corrections as may be necessary in order to make the dates correct, if there are any clerical errors. A. [Witness examines the paper.] Yes; if I remember, this is her affidavit exact, with the exception of the word November in the 15th line.

By Mr. Carey: Q. Does the word November occur in any other line? A. Yes, sir.

By Mr. Curtis: Q. If you have changed any names of the months appearing in the affidavit as published in Exhibit 6, you may state to the Committee what they are. A. I have changed the word November where it occurs in two different places to October.

Q. Is the affidavit as corrected by you a correct copy of the affidavit as made by Mrs. Barlow? A. Yes, sir; to the best of my possible remembrance.

Q. You may state if you know who prepared the affidavit that was sworn to by Mrs. Barlow. I am not sure whether the affidavit was in my handwriting or in the handwriting of the gentleman whose signature is attached to it; it was prepared in my presence, and I remember these dates distinctly.

Q. Do you know that the word October was in the affidavits where the word November appears on the two occasions in this affidavit? A. Yes, sir, I do; I know that they appeared in October, and were so in the affidavit that was sent away by me.

Q. To whom did you send the affidavit? A. I sent it to E. P. Greer.

Q. Was it ever returned to you? A. No, sir; I will state that in that connection I sent two other affidavits at the same time — Mr. Coddington's and my father's, Mr. Henrie's.

Q. Were they ever returned? A. No, sir; neither one of them.

Q. You either prepared the affidavit yourself for Mrs. Barlow, or it was prepared in your presence? A. Yes, sir.

Q. With these corrections it would be an exact copy of the affidavit as sworn to by her, would it not? A. Yes, sir.

Counsel offered in evidence what purported to be a printed copy of the affidavit

of Mrs. Lucy H. Barlow as it appears in a copy of the *Winfield Daily Courier* of September the 9th, 1889, the newspaper having been marked Exhibit 6, and asked that the affidavit might be marked Exhibit 39. Counsel said that he desired the affidavit to go into the record as it had been changed by Mr. Henrie by striking out the word November in the two places where it occurred in said affidavit, before the figures 23, representing the 23d of the month, and inserting in lieu thereof the word October. The affidavit as corrected was received in evidence, and was as follows:

[EXHIBIT 39.]

STATE OF KANSAS, COUNTY OF WYANDOTTE, ss.:

Lucy H. Barlow, of lawful age, being duly sworn, says. I am at present a resident of Kansas City, Mo.; have lived there since February, 1889. From or about August 25th, 1888, to December, 1888, I lived in Topeka, Shawnee county, Kansas, in the same house with C. A. Henrie and family. I have known the said C. A. Henrie for at least eight years; during the months of October and November last was in his rooms every day. On October 10th, 1888, I saw Mr. C. A. Henrie at his home in Topeka, Kansas, and he told me he had just returned from Winfield, Kansas, he having been absent some thirty-six or forty-eight hours; from that day until on or about October 23d, 1888, saw and conversed with C. A. Henrie each and every day at his home in Topeka. I know he was not absent from his home in Topeka to exceed twenty-four hours in succession during the time of October 10th, 1888, and October 23d, 1888, when he left to go and see his parents and sister at Blaine, Kansas. He was gone on this visit about one week. He was absent from his home but very little after his return from New York City until about October 1st, 1888. I remember the dates owing to the fact of sickness of C. A. Henrie, the newspapers which I read at the time, and in connection with my own family affairs. I know that Mr. C. A. Henrie made no effort at any concealment of himself, or of his goings and comings during all the time I have known him.

LUCY H. BARLOW.

Subscribed and sworn to before me this 14th day of August, 1889.

[Seal.]

W. H. YOUNG, Notary Public.

(My commission expires March 26th, 1893.)

Q. [Calling witness's attention to Exhibit 17, which is a copy of the *Daily Capital* of Friday morning, October 18, 1888.] I will ask you to state to the Committee whether or not in the preparation of this second expose of the National Order of Videttes, you prepared a heading for that article at the time? A. Yes, sir, I prepared a heading for that article, but not that which appears in the expose *in toto*.

Q. Is the heading that you prepared the same as the heading that appears in Exhibit No. 17? A. Not entirely.

Q. You may state whether you helped Mr. McCray arrange and prepare the heading for the article as it appears in Exhibit No. 17? A. Yes, sir.

By Senator Kimball: Q. Did you assist him in preparing that heading at the office of the Topeka *Capital* on the evening of the 18th? A. On the morning of the 18th.

By Mr. Curtis: Q. Did you assist in the preparation of the heading of the article that appeared in the *Winfield Courier* of October 18, 1888? A. No, sir.

By Mr. Henderson: Q. You say you never had anything to do with the preparing of any dynamite for the republican party or anyone else in October, 1888? A. That's what I said.

Q. Are you right certain that is correct? A. I am, sir.

Q. Do you know a man by the name of Gebhard? A. No, sir; I do not know a man by that name. I know a man by the name of Gebhardt.

Q. Do you know where he was in October, 1888? A. Some of the time.

Q. Do you know where he was about the 16th day of the month? A. Not as to dates.

Q. Do you remember where you were upon that date? A. Yes, sir.

Q. Where were you? A. I think I was in Topeka all of that day.

Q. Do you remember any particular place where you were? A. No, I do not.

Q. Do you remember of being in company with Bion S. Hutchins? A. No, sir; not on that special day.

Q. Were you familiar with room No. 6 in the Windsor Hotel, during the month of October, 1888? A. Not by that number.

Q. You don't remember the number of the room? A. No, sir.

Q. Is it not a fact that you and Bion S. Hutchins, in room No. 6 of the Windsor Hotel, in the city of Topeka, on the 16th day of October, prepared the box that was delivered to the agent of the express company at Coffeyville? A. No, sir; I did not.

Q. You are positive of that? A. Yes, sir, I am positive.

Q. And you cannot be mistaken about it? A. Could not possibly be mistaken.

Q. Do you remember whether you were in company with Mr. Hutchins on the day which I have mentioned? A. Not specially upon that day.

Q. Do you remember any particular business transaction you had with anyone upon that day? A. No, sir.

Q. Do you remember whether you were at home all day, or whether you were at the Windsor Hotel any part of the day? A. My best recollection would be that I was at the Windsor Hotel a part of the day—probably a large part of the day.

Q. But you have no general recollection about that? A. No, sir.

Q. Do you remember where you were on the 17th day of the month? A. In Topeka.

Q. Have you any distinct recollection of being in Topeka upon the 17th? A. Yes, sir.

Q. Do you remember any business transaction you had upon that day? A. I remember distinctly of the 17th, and fix the date by the fact that the expose was to appear in the *Courier* the next day; I was busy with proof-slips, if I remember right.

Q. Can you call to mind definitely that you were at Republican headquarters that day? A. Yes, sir.

Q. Don't you know, Mr. Henrie, that the so-called expose to which you testified when upon the witness stand before had been prepared by yourself and others, that the same had been set in type, proof read, and everything ready for publication before the 16th day of October? A. No, I did not state that before.

Q. Will ask you if it is not a fact? A. Largely it is; the setting of the type, reading of proof—and practically it was ready for publication.

Q. And was not the heading prepared and type set upon the 16th day of October? A. We did not prepare any heading to send out with the general matter, because we thought it would be better to let each paper prepare its own heading.

Q. What paper were you connected with at that time? A. None in particular.

Q. How many headings did you prepare for that article? A. About a half a dozen.

Q. For what papers? A. Not any paper in particular, except the *Capital*. I spent a great deal of time upon that full page of the *Capital*. I had written the headings as a sort of experiment.

Q. When did you write the first headings for the *Capital*? A. I think I wrote that—the first one I wrote was along about the 15th, one night; I was sitting by the table and wrote it.

Q. Is it not a fact that that was the last one you prepared? A. No, sir.

Q. When did you prepare the last one, then? A. I think I prepared it on the morning of the 18th.

Q. You think you did? A. Yes, sir; it might have been on the night of the 17th.

Q. Where did you prepare it? A. I think I prepared it at home.

Q. Did you prepare a heading for any other paper? A. I prepared several headings and left them with the proof-sheets; I do not know whether they were ever used or not.

Q. To whom did you deliver them? A. In the rooms that we were preparing the material in.

Q. Down home? A. At the Windsor Hotel.

Q. How many days were you employed there at headquarters? A. Do you mean with the expose?

Q. In any capacity whatever? A. I was there continuously, as I will call it now, from the time I returned from Winfield until the expose appeared.

Q. Were you not there in the employ of the committee before you went to Winfield? A. I was there.

Q. How many days had you been in the employ of the state central committee, prior to going to Winfield? A. I had not been employed as a regular man to go away and return the next morning at all as I remember it.

Q. How were you employed? A. Sometimes they would send for me, and say they would like to have me go some place, and I would go.

Q. How many trips did you make before you went to Winfield? A. Several.

Q. How many? A. I could not give you the exact number.

Q. Where did you go to? A. It seems to me among the first trips I made was one to Lawrence.

Q. When did you go to Lawrence? A. I could not remember.

Q. About when? A. I could not tell, except that I know it was in warm weather; it must have been before fall set in.

Q. Was it in the month of September? A. I think it was before that.

Q. In the month of August then? A. By the way, I do not believe that I went for the committee; I think I went for my own business.

Q. When was the first trip you made for the republican state central committee? A. I cannot tell you.

Q. Where did you go? A. I cannot tell you that, either.

Q. Did you go any place besides Winfield? A. Yes, sir.

Q. Where? A. I remember distinctly of going to Kansas City.

Q. When did you go to Kansas City? A. I cannot remember the exact date.

Q. When was it with reference to the visit to Winfield? A. It was some time before that.

Q. How long before? A. To the best of my remembrance, I should say two weeks, perhaps.

Q. How long did you remain in Kansas City; that is on business for the state central committee? A. My recollection of that trip is, that I went on the plug in the morning, and came back on the 9:35 train, getting back about midnight.

Q. Where did you next go for the committee? A. I do not know whether I went to Lawrence the next place, or not.

Q. Did you go to Lawrence for the republican state central committee? A. I know I got my pay from them for going, but whether I went directly for them or not, I cannot tell.

Q. What did they pay you for going? A. Whatever the railroad fare and expenses were.

Q. The rate of railroad fare and expenses? A. And the per diem.

Q. What per diem did you get? A. \$2.50 per day.

Q. And you are certain they paid you \$2.50 per day for going to Kansas City? A. No question about that.

Q. And \$2.50 for going to Winfield? A. Yes, sir.

Q. How many days were you gone to Winfield? A. We went over that ground pretty thoroughly when I was on the stand before, and as I remember, I left here in the evening; as I said then, I am not positive whether I left from here or Kan-

sas City, but that would not make any difference in the time I was gone. In either event, I left here one evening, I got to Winfield the next morning, was there that day and came back here the next morning, making an absence of one day and two nights.

Q. I will ask you to state if you did not testify before this Committee, when on the witness stand before, that you received \$3 per day. A. I think I said \$2.50 or \$3.00, and that is what I say now.

Q. Did you not state that you received \$3 per day for your services? A. No; I did not.

Q. And you say you got \$2.50 or \$3? A. I said in my testimony before that I got the regular scale; that is the only way I have to fix it. The scale was either \$2.50 or \$3.

Q. Is that what the republican state central committee was paying those employed by them? A. I do not know what they were paying others.

Q. What do you mean by the regular scale per day? A. Because when I worked for the newspapers I got the regular scale, and I got the same from them.

Q. Did you go to Winfield immediately after you returned from Lawrence? A. No, sir.

Q. Did you go to any other point in Kansas after you returned from Lawrence, and after you went to Winfield, in the interest of the republican state central committee? A. I cannot remember.

Q. Did you go to Newton? A. Do you mean to go there and stop?

Q. Making a special trip there? A. No, sir.

Q. Did you go to Hutchinson? A. No, sir. I want to state this about Newton, that I stopped in Newton some two or three hours as I returned from Winfield.

Q. What time did you stop there? A. I got there just before dark, and I had some two or three hours to wait for the train.

Q. What time did you leave Winfield? A. That is not right. I must have got that mixed up with some other trip, because I remember of leaving Winfield about that time.

Q. Ain't you considerably mixed up on this whole affair? A. Not a bit of it; not half as much as you are.

Q. You are mixed on the places you visited in the interest of the state republican committee, are you not? A. No, I am not a bit mixed; I simply cannot remember three years back to all the places I went. I had a great deal of my own business to attend to in my newspaper, and it is difficult for me to testify whether I went for them, or whether I went on my own account.

Q. Were you running a newspaper in October? A. I want to correct what I said in my testimony, that my last issue was in August. I think the last issue was in September. I have looked the paper up, and I think they will say that it was in September. Whenever I was out of the city—wherever I had subscriptions, I attempted to collect what was due.

Q. Did any person owe you anything at Winfield? A. I could not say; I presume they did. I sent papers down there.

Q. Did you attempt to collect any subscriptions the time you were there? A. No, sir; I did not have time. I was only there a part of the day.

Q. Did you have any subscription at Newton? A. Yes, sir.

Q. Did you collect any subscription there? A. No, I did not; but I tried to.

Q. Then you must have gone to Newton on your own business? A. I am not positive. I laid over at Newton the time I came from Winfield, but I am not positive about the time I got there. I remember of being in the depot a considerable

time. I am not positive as to the time I got there. I had previous to that time looked around the city and inquired for several parties that owed me there.

Q. When was it you made this trip to Newton? A. I stopped there on the night of the 9th of October.

Q. You tell this Committee you stopped there that night? A. I do.

Q. Q. How long were you there? A. It seems to me I was there two or three hours.

Q. Do you remember what time the train arrived there? A. I do not know; I got something to eat after I got off the train.

Q. Do you remember what time the train arrived in Topeka? A. Yes, sir.

Q. What time? A. I say yes—I remember simply from a general knowledge that when I came in from the west I always got here in the morning, and I got here about the same time on that train.

Q. You got in about half past four, did you not? A. I think I did.

Q. And you left Winfield about half past six? A. I do not know whether it was half past six or half past five.

Q. Did you visit Emporia during the month of October? A. No, I did not visit Emporia at all. I visited Emporia earlier in the fall.

Q. In September? A. Well, I cannot say whether it was August or September.

Q. When was it with reference to the last issue of your paper? A. I cannot say as to that. I can tell you how to find the date, if you will hunt it. There was a congressional convention there, I think.

Q. You don't remember what time? A. No, I do not; I know my paper was running at that time.

Q. Are you able to state to the Committee what other places you visited in the interest of the state central committee? A. I do not believe I can state as a fact any particular places I went wholly in the interest of the committee.

Q. Didn't you spend the last week of September all the time traveling in the interest of the state central committee? A. No, sir; I did not, because of my health; I was feeling very badly at that time.

Q. You were at home most of the time, were you, during the latter part of September? A. I think so; that is after I got back from New York.

Q. Do you remember what time you got back from New York? A. No, I do not.

Q. I think you stated when you were on the witness stand before that you once lived at Emporia. A. Yes, sir.

Q. Were you acquainted, or are you now acquainted with one John G. Burchfield? A. Not by that name; I cannot remember him.

Q. You don't remember him? A. Not by that name.

Q. I will ask you if you remember of meeting him in Emporia in the early part of October and conversing with him with reference to the position that you were then occupying in the employ of the state central committee? A. I do not remember a man by that name.

Q. Did you have any conversation with anyone in Emporia upon that subject? A. Not that I remember of.

Q. Now I will ask you to state to the Committee if it is not a fact that you and John G. Burchfield were together on the 17th and 18th of October, 1888. A. I have told you that I did not know John G. Burchfield; and did not know any man by that name.

Q. Then you were not in company with him the days I have mentioned all day. A. No, sir; I was not with him on the 17th or 18th of October all day.

Q. Where were you on the 19th of October? A. I was right here in Topeka.

Q. Stayed at home all that day, didn't you? A. No, sir; not all day.

Q. You were there most of the day? A. Well, I do not know as I would say most of the day; no, sir.

Q. Do you remember of seeing Mrs. Cougher that day? A. No, sir.

Q. Do you know where she resided at that time? A. No, sir; I do not think I knew Mrs. Cougher at that time.

Q. You think not? A. At that—in fact, I am pretty positive that I did not; no; I know that I did not know her at that time.

Q. You stated awhile ago that you had a conversation since she was on the witness stand? A. Yes, sir.

Q. When did you have this conversation? A. It was along the latter part of last week; I cannot give just the day.

Q. Where? A. At what she said was her mother's—it was her mother's, because I saw her mother.

Q. Then you know she was at her mother's? A. I saw her mother in the room.

Q. Was she present when you had this conversation? A. A portion of the time.

Q. Is it not a fact that she was present the entire time? A. No, sir.

Q. Was her son present? A. A part of the time.

Q. How long were you there? A. Just a very few moments—about ten minutes.

Q. Who sent you down there? A. Nobody.

Q. What did you go down there for? A. I happened to be going along the street with my uncle, and I saw her little boy. I had been informed in the morning that she was still here, and I was very much surprised; and I asked the little boy where his mother was, and he said in the house; and to satisfy my curiosity, I went in.

Q. Now do you know that you went there purposely to see her? A. No, sir.

Q. Do you tell this Committee that you did not? A. From the time I went in from the walk to the yard, it was purposely to see her.

Q. What time in the day was it? A. When I was going home to supper.

Q. Do you live on that street? A. No, sir; that was on Quincy; but I went by there. I live on the next street below.

Q. Is it your custom to go by the house every time you go home? A. Quite frequently, if I happen to be in this part of the town.

Q. You have been in this part of the town several times? A. Yes, sir.

Q. Is that the first time you went by her mother's residence, last week. A. No, sir; I do not think it was. It was the first time I was by there knowing where she lived.

Q. And you knew that by Mrs. Cougher's boy being there? A. I noticed the address she gave when upon the witness stand; and in going by the house I looked at it. It was a very large house, and I wondered how it came her mother lived in such a large house, an old lady like her with what I supposed to be a small family.

Q. What door did you approach when you started to the house? A. I went to the front door.

Q. Didn't you go around to the side door? A. I did afterwards, because the lady that came to the front door said she did not live there, and I noticed that the boy went around to the rear door and then I went around there.

Q. You say you remember of having a conversation with Mrs. Cougher some time in your office during the summer of 1889? A. I do not think I said I remembered any such thing.

Q. What did you say about having a conversation with her? A. I do not think I said anything about it.

Q. Didn't you say in your examination-in-chief that you had a conversation with her? A. I might have said so; I do not remember.

Q. And in that conversation Mr. McCray was mentioned as executive clerk?
A. Yes, sir; I remember that.

Q. You had that conversation, did you? A. Yes, sir.

Q. And in that conversation those affidavits were mentioned? A. No, sir; the affidavits were not mentioned.

Q. Was Dick Walker in the room about the time you were preparing these affidavits? A. There were no affidavits prepared in that room.

Q. Did my question indicate that? A. Yes, sir; you asked if Dick Walker was in that room when the affidavits were prepared.

Q. I will ask you again, was Dick Walker in your office at the time the affidavits were prepared? A. To the best of my knowledge Dick Walker was never in my office.

Q. I will ask you to state if it is not a fact that he is the person whom you told Mrs. Cougher was Governor Humphrey? A. No, sir.

Q. When was it you handed these affidavits to Mr. McCray? [Calling witness's attention to Exhibits 37 and 38.] A. I have no means of fixing the date except the little memorandum on the back, which would make it about the first of August.

Q. How did you happen to have that conversation with Mr. McCray? A. Which conversation?

Q. The one you mentioned in your examination-in-chief. A. When Mrs. Cougher was present?

Q. When you handed him these affidavits. A. I do not think I ever handed them to him.

Q. You never did? A. I don't think I did. My best recollection is, he was out of the office, and I left them there for him.

Q. Did you not say you met Mr. McCray and handed him the affidavits? A. No, sir.

Q. And told him to copy the affidavits, and send them to E. P. Greer? A. No, sir.

Q. What did you say? A. I said, my best recollection is, that I took them to his office and left them there, with the word that I wanted him to copy them and send them to Mr. Greer.

Q. Why did you go to Mr. McCray and tell him to look over the affidavits? A. I had, perhaps, two or three reasons.

Q. Please state them. A. We had frequently talked this matter over, and had discussed the advisability of entering suit for libel. Then, again, we had discussed the feasibility of starting into a newspaper fight; that is, to take the other side of the question; and I had obtained the idea from him, that whatever was done in a newspaper way, he was a newspaper man and would take charge of it.

Q. As a matter of fact, and in addition to that which you have stated, you went there because the governor wanted you to come? A. There was no addition at all; Governor Humphrey had never said directly or indirectly, nor Mr. McCray had never said directly or indirectly that the governor wanted me to make any affidavits.

Q. Did you ever have any talk with the governor about this? A. Yes, sir.

Q. Did he ever suggest that it was necessary to make affidavits in the matter? A. He took the other view of the matter, that it was beneath the dignity of any gentleman to make a reply to any such charges.

Q. You did reply? A. I looked at it differently.

Q. The governor replied; didn't he? A. I do not know whether he did or not. I would like to state, Mr. Henderson, that my idea of the rebuttal that should be made to that was not generally accepted by the men I conversed with. The governor—if I had any conversation with him at all, it was soon after I went into the office down here. I used to go in frequently as I was much interested in a monu-

ment scheme for Governor John A. Martin, which was being pushed at that time. I was in favor of entering a suit for criminal libel.

Q. Why didn't you do it? A. The reason I did not do it was because I did not have the means, and the only reason.

Q. To commence a criminal action? A. Yes, sir.

Q. Are you required to put up anything? A. I never knew any lawyers, until lately, that went into a prosecution without a retainer fee.

Q. Are you not aware of the fact lawyers are elected to prosecute the pleas of the state? A. I am aware of the fact that county attorneys are not always the men I want to go into that kind of a suit alone.

Q. Did you consult any person, any lawyer, with the view of commencing a criminal action against any person? A. Yes, sir.

Q. When was it, with reference to the date of this affidavit? A. The first time I had any talk with a lawyer concerning that point was immediately after the article appeared in the *Kansas City Times* and *Topeka Democrat*.

Q. When was that time? A. That was in November, 1888.

Q. Did you ever go to Winfield for the purpose of investigating the standing of the county attorney in that county? A. No, sir; I did not intend to bring suit there.

Q. Where did you intend to bring suit? A. Here, if I could.

Q. Was not Mr. Curtis the county attorney at that time? A. It would have been immaterial to me.

Q. You knew he was county attorney? A. No, sir; I did not, and I do not know who is county attorney now.

Q. Did you attempt to ascertain who was county attorney? A. No, sir; I did not.

Q. Did you talk with any officer about the matter? A. No, sir.

Q. None at all? A. No, I do not think I did.

Q. Where is Mrs. Lucy H. Barlow? A. I do not know.

Q. Who drew the affidavit that she signed for you? A. As I said before, I do not know whether I did or whether the gentleman who attested it drew it.

Q. Do you remember where you were when the affidavit was prepared? A. I do.

Q. Where? A. In Kansas City, Kansas, in the office of the gentleman whose signature is attached there.

Q. W. H. Young, a lawyer? A. Well, he is a notary; I do not know whether he is a lawyer or not.

Q. And you are not able to state to the Committee whether you drafted that affidavit or whether he did? A. No, sir; not to state positively.

Q. Is it not a fact that you had the affidavit drawn in Topeka and went to Kansas City, Kansas, and there secured her signature? A. No—a part of it is a fact; I was very doubtful about being able to find Mrs. Barlow when I went there.

Q. You did find her—in Kansas City, Missouri? A. Yes, sir; after a great deal of trouble.

Q. After you found her you brought her over to Kansas City, Kansas, and made an affidavit? A. No, sir; that is not true.

Q. Well, what is the fact about it? A. My wife was with me; and through an old friend of my wife's in the afternoon of the previous day she found where Mrs. Barlow had formerly lived. My wife managed during the afternoon to trace her up to the place where she was living at that time; and I think they probably met that evening, if I recollect rightly. At all events, the way she came to go to Kansas City, Kansas, was, that my wife and she had made arrangements to take a trip to some park, on the elevated railroad that runs out to it, and I was to go over there and meet them.

Q. Over to the park? A. Yes, sir.

Q. And you did meet your wife and Mrs. Barlow there? A. I do not remember whether I met them at the park, or some place this side of it. I do not remember just how that did occur. I remember distinctly why we went to Mr. Young's office, because there was no notary or no place that we could do any writing without going back to Kansas City, and my wife and I wanted to take the evening train home; and for that reason—I had met Mr. Young before—we went up to his office.

Q. Are you not able to state who wrote the affidavit? A. No, I am not.

Q. You remember the fact that your wife hunted up Mrs. Barlow? A. Yes, sir.

Q. You remember the fact that Mrs. Barlow lived in Kansas City? A. Yes, sir.

Q. You remember the fact that your wife and Mrs. Barlow went out to some park in Kansas City? A. Yes, sir.

Q. You remember of meeting your wife and Mrs. Barlow? A. Yes, sir; but I do not remember distinctly where I met them.

Q. You remember distinctly of going to Mr. Young's? A. Yes, sir.

Q. You remember that your wife and Mrs. Barlow went with you to Mr. Young's? A. Yes, sir.

Q. You remember that you wanted to get home, and did want to get home that night? A. Yes, sir; and that Mrs. Barlow had her baby with her.

Q. You remember all these things distinctly? A. Yes, sir.

Q. Why cannot you tell the Committee who wrote that affidavit? A. Because there were two affidavits written, as I remember. If there were two affidavits, the one signed and sealed was the one in my handwriting. It is no wonder that they got the November for October. On the contrary, if Mr. Young kept the copy that I drafted there in the office, and signed his name to the one he drafted as a copy, it ought to be in a good handwriting; for, if I remember, Mr. Young writes a good clear hand. That is the reason that I cannot state positively whether the affidavit that appears in that paper is the one I drafted or the one which Mr. Young drafted.

Q. Why were there two affidavits prepared? A. That was always a mystery to me. I sat there in the presence of Mr. Young and my wife and Mrs. Barlow; and, as the facts were brought out, and the language she wanted to state them in, I wrote them down; and when Mr. Young got up and went to his desk—there were two or three—I was very much surprised to see him take out a piece of paper and commence to copy the affidavit.

Q. That is the part that is a mystery to you? A. Yes, sir.

Q. Didn't you have a memorandum in your hand that you had prepared in Topeka? and did you not show it to her or read it to her? A. No, sir; not a sign of a memorandum.

Q. You are certain of that? A. I did not expect to be able to find Mrs. Barlow; and the letters my wife had received from her just prior to our going to Kansas City had been dated from some other place in Missouri, I forget where it was; and I did not think I would be able to find her.

Q. How many times did you go to Kansas City to look for Mrs. Barlow? A. I would not say we ever went purposely to look for Mrs. Barlow.

Q. Didn't you go there once, after you had ascertained where she resided on Independence avenue, specially to see her and she was absent from home? A. I do not recall any such visit as that. I want to say I do not think I did.

Q. You don't think you did? A. No sir.

Q. How many different times did you go to Mrs. Barlow's house on Independence avenue, the day you secured your affidavit? A. I did not go to Mrs. Barlow's house. Yes, sir, I think I went with my wife in the morning.

Q. Was Mrs. Barlow home when you went there? A. To the best of my remembrance, I think she was.

Q. Did you not return in the afternoon to the house? A. As near as I can remember, my wife went in where Mrs. Barlow was, I went in too; and, after a few moments' conversation, I left, and I do not think I returned to her any more, as near as I can remember.

Q. You won't be certain? A. No, sir; I will not be certain.

Q. You don't recollect whether you went in the afternoon or not? A. No, I do not; but I don't think I did.

Q. Are you certain that, when you did go there, you saw Mrs. Barlow. A. Yes, sir; I remember that distinctly, for the reason of some little things that occurred concerning the baby.

Q. You are certain Mrs. Barlow was home? A. Yes, sir. I went out on the rear porch where they lived, and had some conversation.

Q. Did you talk with her concerning the affidavit at that time? A. I do not think I did.

Q. Did not mention the fact at all? A. I might have mentioned it.

Q. You do not remember? A. No; I do not remember that I did.

Q. Do you remember how long you stayed there at the house? A. A very few minutes. I would like to state, that whenever I was in Kansas City, and knew Mrs. Barlow was there, I always went to see her. She was married from my house, and I always felt very friendly toward her. She was left in destitute circumstances with a little child.

Q. Now, this man Cummings—what is his given name? A. I could not tell you.

Q. How long were you acquainted with him before you secured the affidavit? A. My acquaintance with Mr. Cummings commenced sometime in the spring of 1888, if I remember rightly; he continued to work for my paper for two or three months.

Q. What was he doing in the month of August, 1889? A. I could not tell you, as I knew nothing about him. After he was in my employ, occasionally I would meet him on the street and ask him what he was doing.

Q. Do you know what he was doing in the month of June, 1889? A. Yes, sir—I do not know whether it was in the month of June or not. I know that shortly before he came to me and told me he was going to leave the city; he had the agency for some of the Kansas City papers; I forget whether it was the *Star*, *Globe*, or what it was.

Q. Did you have that conversation with him at the time you approached him for the purpose of securing the affidavit which has been read in evidence? A. I said nothing about having a conversation with him.

Q. Did you have any conversation with him at the time you secured the affidavit? A. Yes, sir.

Q. Did you ever talk with him about that matter before the affidavit was presented for his signature? A. The affidavit was never presented for his signature.

Q. He signed it, didn't he? A. Yes, sir.

Q. Who prepared it? A. He did.

Q. Swear to it? A. He did.

Q. Did you request him to do that? A. The matter came up in this way. He told me he was going to leave the city. I asked him where he was going. He said, "From the way I feel now, I feel as though I was going to die." He was going somewhere to doctor. After consoling him as best I could, he said, "If you want that affidavit from me concerning the time I met you at the opera house, you had better get it now." I said for him to write it out; and in the course of a few days he came over.

Q. And you had talked with him about the affidavit before that time? A. Immediately after the article had appeared in the *Kansas City Times* and *Democrat* charging me with having been at Coffeyville on the 18th; the first time I saw Cummings, I took occasion to call his attention to the fact of having been with him that night.

Q. That is the only time? A. And whenever we met he would refer to it.

Q. What time did you meet the evening you had this talk with him? A. Do you refer to the 18th day of October?

Q. When the affidavit was made. A. It was sometime during the day, when I met him on the street.

Q. You met him in the evening of the 18th? A. Yes, sir.

Q. You are certain about that? A. Yes, sir.

Q. Where did you meet him? A. Mr. French, Mrs. Barlow and her baby and my wife and children had been on the streets the evening of the 18th. I thing there was a parade, and they had been seeing that; and when I left them and they went home, I says to my wife, "I will go and hear the first democratic speech of the year." When I got to the Grand opera house, the hall and other portions of it were pretty full and I went in through the side wings. I did not get a chair very soon. Mr. Cummings and Mr. Haldren were sitting at a table near the entrance. I stood there for a few minutes and talked with Haldren and Cummings about the crowd and one thing and another; and tried to obtain a chair, but I could not, and Haldren was sitting opposite Cummings and Cummings was making a report. I said: "I am awful tired," and said, "Let me sit down," and they both got up and said, "You can have both of these chairs if you will finish these reports for us." I asked them something about how much they wanted and they said they did not want much. I said, "I will finish it for you, but I do not want to walk clear over to North Topeka to deliver it." He said: "You can leave it at the Windsor, and I will get it there in the morning." They both got up and left there shortly afterwards.

Q. That was what night? A. The night of the 18th when David Overmyer made his speech there.

Q. Do you remember, Mr. Henrie, where you were on the afternoon of the 18th? A. I was in the *Capital* office the larger part of the time.

Q. Who did you meet? I met Frank Scott, John Clark, Hercules, all the fellows up there.

Q. Did you meet Mr. McCray? A. Yes, sir.

Q. Are you certain? A. Yes, sir.

Q. Do you remember any person whom you met on the morning of the 18th? A. Yes, sir.

Q. Who? A. I met Mr. McCray and a gentleman by the name of Shreffler. These are the only two I remember of being in conversation with.

Q. Do you remember what McCray was doing the first time you met him that day? A. Yes, sir.

Q. What was he doing? He was looking over the proof of the Vidette expose.

Q. What was he doing in the afternoon? Preparing editorial matter.

Q. Since the *Kansas City Times* and *Democrat* charged you with being at Coffeyville on the 18th, did you call Mr. McCray's attention to that fact? A. I do not think I did.

Q. You remember you met him on the 18th? A. Yes, sir.

Q. And you talked with him about it? A. About what?

Q. You talked with him about being in Topeka on the 18th? A. I was in Topeka on the 18th.

Q. You talked with him about being here after these papers had charged you with being at Coffeyville? A. Yes, sir.

Q. When did you talk with him about it? A. I talked with him several times.

Q. When did you first talk with him? A. I think it was immediately after the charge came out; I say immediately, it could not have been right away, because I was feeling very badly and was confined to my bed a large portion of the time, but the first time I saw him I spoke to him about it.

Q. When was it with reference to the day of these publications? A. I cannot say.

Q. When you met him you are certain you talked with him about being here on the 18th? A. No, I will not state.

Q. Did you ever talk with him before this reply was made in the *Winfield Courier*? A. Yes, sir; several times.

Q. Why in God's name didn't you get his affidavit? A. That was one of the reasons that I stated, that we did not have the affidavits published before that time, because there was a difference of opinion between the parties concerned.

Q. Will you answer my question why didn't you secure the affidavit of Mr. McCray? A. The reason I did not was because I knew he was here; and whenever I needed him in any trial or case I could have him.

Q. You knew you was here all the time, didn't you? A. You mean on the 18th of October?

Q. You remained here in the city afterwards? A. Yes, sir.

Q. Why did you make your affidavit as to your whereabouts on the 18th of October and did not solicit Mr. McCray to make one? A. When these affidavits were put in the *Courier*, I had very little faith in them; and I did not care anything about putting Mr. McCray, nor Frank Scott, nor Arthur Capper or any of those men to the trouble of making an affidavit at that time. I knew what evidence they knew.

Q. McCray wanted you to furnish some affidavits, didn't he? A. He did not seem very anxious.

Q. He talked with you about them? A. He said they were going to make some kind of a reply to it. I wanted the whole matter gotten up here and put into McCray's hands, because I did not admire the way they got things up in the *Courier* office.

Q. What was your objection? A. Well there were three objections: that was a scab town down there; and the *Courier* and *Non-Conformist* and *Telegram* down there had a poor class of printers.

Q. Any poor editors? A. No, sir, they have some good editors; Henry Vincent is a good editor, about the best they have down there; and they had one other fellow there that was a good editor.

Q. Was that Jack Henthorne? A. No, sir; another little fellow.

Q. Did you meet him in Topeka? A. No, I think I met him when I was down there.

The Committee adjourned until 9 o'clock the following day.

TOPEKA, Tuesday, March 31, 1891 — 9 o'clock A. M.

Committee met pursuant to adjournment. A quorum present.

C. A. HENRIE further testified as follows:

Examined by Mr. Henderson: Q. I asked you yesterday whether or not you and Mr. Hutchins were not closeted in room No. 6 in the Windsor Hotel; I now ask you if it is not a fact that you were closeted in No. 7 of the hotel? A. I told you yester-

day, and I tell you again, that I cannot tell anything about whether it was six or seven; I am not familiar with the numbers in the Windsor Hotel.

Q. Did you at that time, or do you now know the numbers of the rooms occupied by the state central committee? A. I do not know the numbers; I know where they were located.

Q. Was there not a room specially secured for you, and the services to be performed by you? A. No; I never understood it that way. I understood that the room I worked in was Mr. Hutchins's bed-room.

Q. Then the room you worked in, you understood to be the bed-room of Mr. Hutchins? A. I would not swear that that was true.

Q. You understood it so? A. That was my general understanding, that that was his bed-room; I will say this, that it was—it was private.

Q. You were secluded from the general visits, and visitors to headquarters? A. I was secluded, inasmuch as the general visitors did not know anything about this room, and I did not want to be bothered.

Q. At whose suggestion was it that you occupied the room you have mentioned, if you know? A. I do not think it was anyone's suggestion. I think, as I would remember under the circumstances, it was probably at my own request. I told them I had no place that was quiet where I could work; and this matter was not to be laid around. You could not spread it out on the table where people were coming and going.

Q. Were there any materials packed in bundles or inclosed in boxes in any room of the hotel, which you packed or boxed? A. No boxes. I think it quite probable I put up packages of newspapers quite frequently.

Q. Did you put anything other than newspapers? A. No, sir.

Q. Was it not your custom to pack in large bundles, bills to be sent to the various parts of the state? A. I do not think I ever rolled up a bill in any way, shape or manner.

Q. I call your attention to a person by the name of Gebhardt; you were acquainted with him during October, 1888? A. I knew him.

Q. He worked at the same headquarters that you did? A. He was there at headquarters as one of the assistant secretaries, I understand.

Q. Did you ever have any conversation with him with reference to the work performed by you on the 16th day of October, 1888? A. No, sir; not in reference to that day or any other particular day.

Q. You say you did not? A. Yes, sir.

Q. I will ask you to state if you did not say to him after the election that the reason he was prohibited from entering the room then occupied by yourself and Mr. Hutchins, meaning the 16th day of October, was that you and Hutchins were preparing a scheme to demolish the union labor party, and that the blow-up at Coffeyville was not intended to take place at the time and under the circumstances under which it did occur? A. No; I never made any such remark to Mr. Gebhardt, either in substance or as you have related.

Q. Now, calling your attention to your testimony of yesterday in which you stated that you had a conversation with Mrs. Cougher a few evenings ago. Now I will ask you to state to this Committee if it is not a fact that you went to her mother's house for the express purpose of seeing Mrs. Cougher, and there and then attempted to prevail upon her to admit or agree to testify that certain things said by her were not true? A. No, not in the sense you put it. The conversation I had with Mrs. Cougher was—I was very much put out, and wondered how it was that Mrs. Cougher could testify to the fact that I told her that that man was the governor; and we had some considerable conversation, and argued back and forth, and

I attempted to convince her that it would have been impossible, that there could not possibly be any reason for me to make that remark; and she finally made the explanation how it was she could have been mistaken; that probably she had only heard the latter part of the sentence. I did not ask her to testify, did not ask her to come back here. In fact, she said she was going to leave immediately.

Q. Is it not a fact that you said to her, you wanted her to come back upon the witness stand, and, for your sake and safety, to retract certain things she had said? A. No. On the contrary, if I said anything about her coming back, I said I did not care anything about her coming on the witness stand.

Q. Is it not a fact, in that conversation you said to her, using substantially this language: "Might I not have said to you, that the person calling was the executive clerk to the governor?" and she responded, "You might have said such a thing, but you didn't"? A. I might have made that remark, but she did not respond in that way.

Q. Are you positive? A. I am very positive about that.

Q. Do you remember where you were sitting at the time this conversation took place? A. Yes, sir.

Q. Was you sitting in the dining-room? A. I was sitting in the room where they were eating supper.

Q. Who was present at the time you had this conversation? A. When I first went in the room, her mother was sitting at the end of the table; one of her sons was sitting at the side, the older one—

Q. What is his name? A. I believe his name is Eddie, and I think one of the smaller ones was sitting on the same side of the table with him.

Q. What is his name? A. I do not know; if I ever knew, I have forgotten; and then there was a little girl sitting at the table, and Mrs. Cougher was sitting on this side of the table; so I was not very far away from her.

Q. Now, did you not draw up your chair nearer to the table, and nearer to where she was sitting? A. No, sir.

Q. You didn't? A. No, I didn't.

Q. Did you not put your hand in your pocket and pull out a lot of papers? A. I did.

Q. Didn't you lay them upon the table? A. I did.

Q. How near were you to the table? A. Closer than I am to this desk.

Q. Did you not then exhibit some opened letters addressed to her which you had in your possession? A. I handed Mrs. Cougher one letter addressed to her which I had in my possession.

Q. Do you tell this Committee that you gave her a letter that evening? A. I do; I gave her the letter, which I handed her.

Q. Is it not a fact that you pulled the letter out of you pocket and laid it on the table, together with the other papers; and that she demanded the letter and you refused, saying that, when this investigation was over you would deliver to her the two letters? A. No, sir; it is not a fact.

Q. How long did you remain there at that time? A. I think fifteen minutes, or twenty minutes, perhaps—a very short time.

Q. Did she not in that conversation say that she recognized the handwriting on the envelope containing the letter which was hers, or supposed to be have been hers? A. No; she did not say that; she insisted that the envelope was addressed to her, but she did not say that she recognized the handwriting.

Q. Do you remember the number, the address upon the envelope, the number and street, if any was given? A. No, sir; I do not. Let me tell you, Mr. Henderson, that I had no envelope addressed to her—that was a mistake upon her part.

Q. Is it not a fact that the envelope to which I have directed your attention was addressed to her at 119½ West Fifth avenue? A. I had no envelope addressed to her in any way, shape, manner or form.

Q. Then if you had no letter addressed to her in any manner, shape or form upon that occasion, why have you stated you delivered to her a letter addressed to her? A. I did not say I had no letter, I said I had no envelope.

Q. Where was the envelope that contained the letter that you claim to have delivered to her? A. You know as much about that as I do.

Q. Is that the only answer you will give to that question? A. I simply say, I know nothing about it.

Q. Where did you get the letter? A. After Mrs. Cougher had moved out of the rooms she occupied, and we took up the carpet to leave the house, we discovered a bundle of letters, papers and one thing or another under the carpet; after that time, I think there were some letters left at the house addressed to her, I am not positive about that.

Q. When was it you took up the carpet in question? A. Well, I could not remember as to that.

Q. About when? A. I do not remember whether it was taken up immediately after she left, although it is my impression.

Q. When did she leave? A. I could not tell.

Q. About when? A. It seems to me it was in December or January.

Q. What year? A. December, 1888, and January, 1889.

Q. You took up the carpets a short time after she left the rooms? A. Well, as to that I am not positive, for the reason that I cannot remember whether we rented the room furnished just as she left it or not.

Q. Was it within six months after she left? A. Oh, yes.

Q. You retained that letter in your possession from sometime in 1889 until a few nights ago? A. Yes, sir.

Q. Now you tell the Committee that you delivered to her the letter at her mother's residence the other night? A. Yes, sir.

Q. Don't you know that you have that letter in your pocket at this time? A. No, sir; I delivered it to the lady.

Q. Who was present? A. I do not know whether all the parties were there that I named or not.

Q. Name any one person that you remember of sitting there at the time you delivered the letter? A. I think the little girl was the only one, I would not say positively.

Q. The grandmother was not sitting there? A. No, she left the room very shortly after I came in; went out into the kitchen.

Q. Nobody present at the time that you delivered the letter except the little girl? A. I simply remember that the little girl was present.

Q. That little girl is eight or nine years old, is she not? A. No; I think she is older.

Q. Have you ever been in Labette county any during any period of your life? A. I cannot say yes or no on that question, I am not familiar with the towns of Labette county; if you will name some specified town.

Q. You know where Labette county is situated? A. No, I do not.

Q. Is it not in the southeast part of the state? A. I do not know, I have been in the south east part of the state.

Q. Have you been in Parsons? A. No, I have not.

Q. Have you ever been in Oswego? A. No, I do not think I was, though I have a faint recollection of being there, looking after some subscriptions.

Q. You were in Oswego along in the fall of the year, were you not? A. I have not the slightest recollection what time of the year it was.

Q. And you went from Oswego to Chetopa too? A. No, sir; I never was in Chetopa—never in my whole life.

Q. In your whole life? A. Not in my life.

Q. You have an idea where Chetopa is, haven't you? A. I have an idea about where it is.

Q. Never passed through there on the train? A. What road is it on?

Q. Two or three; Missouri Pacific; Denver, Memphis & Atlantic— A. I never was there.

Q. Never was there? A. Never passed through there.

Q. Under no circumstances? A. Under no circumstances.

Q. At no time? A. At no time.

Q. Your memory cannot be defective upon that point? A. Cannot be defective upon that point.

By Mr. Curtis: Q. Have you in your possession a letter notifying you to attend the meeting in New York, in September, 1888? A. I think I have.

Q. Will you produce it? Yes, sir. [Witness produces letter.]

Q. Is that the letter you received, notifying you to come to New York, August 15, 1888? A. Yes, sir.

Q. Who is it from? A. A. S. Houghton, secretary of the national committee of the united labor party.

Q. [Calling witness's attention to Exhibit 29, being a copy of the *Labor Chieftain*, dated, Topeka, Kansas, November 11th, 1887.] Mr. Henrie, how did you come in possession of the article introduced in evidence? A. It came into my possession as a matter that I obtained from Kellogg.

Q. What kind of matter was it? A. All plate matter. I will have to qualify that a little: I will not say whether that came from the *Democrat* office or Kellogg.

Q. Well, it was all plate matter? A. It was all plate matter.

Q. Did you at any time, after the charges were published against you in the Kansas City papers, and *Democrat* and *Non-Conformist*, take any person to Mr. D. O. McCray and Mr. Arthur Capper and others, here in the city of Topeka, in order that they might find out with reference to your whereabouts on the 18th day of October, 1888? A. I did.

Q. Was there ever any publication made of that? A. There was.

Q. If that was published, in what paper, and of what date? A. It was published in the *Jeffersonian*, in Topeka, October 3d, 1889.

Counsel said he desired to offer in evidence the letter dated August the 15th, 1888, which was marked "Exhibit 40," and made a part of the record, and was as follows:

[EXHIBIT 40.]

WILLIAM B. OGDEN, *Chairman*.

ALFRED S. HOUGHTON, *Secretary*.

HEADQUARTERS OF THE NATIONAL COMMITTEE OF THE UNITED LABOR PARTY,
No. 239 WALNUT STREET, CINCINNATI, August 15, 1888.

C. A. Henrie, *Topeka, Kansas*—DEAR SIR: There will be a meeting of the national committee at room 28, Cooper Union, New York city, at noon Saturday, September 15.

There will also be a ratification meeting at Madison Square Garden, New York city, on the evening of September 15 at the opening of the second annual fair of the anti-poverty society.

You are requested to be present.

Yours truly,

A. S. HOUGHTON, *Secretary*.

P. S.—Yours of the 10th reached me day before yesterday (Monday), and as I had already written you regarding the matter I did not telegraph.

We have matters in our own hands here, and if permitted to carry out what we have inaugurated we can wipe out the union labor party in Ohio.

Be sure and come to New York, as we must put things on a sure foundation,

A. S. H.

Mr. Curtis said: We offer in evidence the two articles in the *Jeffersonian*, dated October 3d, 1889, one headed "Let Justice be Done," signed "J. W. Harlan, M. D.," also the article and editorial headed, "Conclusive Proof." The articles were marked exhibits 41 and 42 respectively, were introduced in evidence, and were as follows:

[EXHIBIT A.]

LET JUSTICE BE DONE.

TOPEKA, KANSAS, Oct. 1, 1889.

Editor Jeffersonian—DEAR SIR: I was called on this morning by Mr. C. A. Henrie, who wished me to examine in person the evidence that he was in Topeka on the day and evening of the date of the Coffeyville explosion of last October 18th, hence could not possibly have delivered the bomb to agent Upham, as charged by the *Winfield Non-Conformist*. I replied that I wanted to know the truth and had no prejudices. I went with Henrie to several parties, whose statements I subjoined for the benefit of those interested.

We first called upon the former associate editor of the *Daily Capital*. I asked him if he knew where C. A. Henrie was on the 18th day of October last, and he replied: "I saw him on that day at the office of the *Capital*, between 12 and 2 o'clock P. M. I will swear to it in court, if called upon."

We then called upon Mr. J. G. Cougher, assistant labor commissioner, and I asked him: "Were you in company with C. A. Henrie and Mr. Wakefield at the Santa Fe depot on the 6th day of October, 1888, for the purpose of meeting Dr. McGlynn?"

Answer: "I was."

Question: "Did you see Mr. Poorman?"

Answer: "I did: I was in company with Mr. Wakefield, and we saw Mr. Poorman standing on the car steps talking to C. A. Henrie."

Question: "Do you know where C. A. Henrie was on the 18th day of last October?"

Answer: "I have not given it any attention, but if necessary would make it out."

We then visited the *Capital* building, and I was introduced to the city editor. I asked him: "Did you see C. A. Henrie at the office of the *Daily Capital* on the 18th day of October, 1888?"

Answer: "Not at the *Capital* office, but I saw him at the Grand Opera House, listening to Mr. Overmeyer's address, between 8 and 9 P. M., and about 11 P. M. he telephoned to me regarding a democratic meeting at Heery's hall."

We then visited the foreman of the office, to whom I put similar questions, and he said: "I saw him the day before the publication of the N. O. V. expose, which was published October the 19th, 1888. I remember it because we were looking over the proof-sheets of the expose between 3 and 4 o'clock P. M. Mr. Henrie was in the habit of visiting the office when not employed."

Question: "Was Mr. Henrie working in the office of the *Capital* during the last session of the legislature?"

Answer: "Yes, he worked here until taken sick."

I have no interest or prejudice in this matter, but, as a lover of justice, desire truth to prevail. These statements being true, as they are, it necessarily follows that C. A. Henrie is innocent of the charges preferred against him.

Respectfully,

J. W. HARLAN, M. D.

[EXHIBIT 42.]

CONCLUSIVE PROOF.

In this issue will be found a communication from Dr. Harlan, regarding the charges made by the *Non-Conformist* that C. A. Henrie was absent from Topeka October 18th, '88, on which day he is charged with having delivered the dynamite which caused the Coffeyville explosion. It seems to us that Henrie has fully established his presence in Topeka on that day. We here desire to correct from personal knowledge the report that Mr. Henrie has either abused or neglected his wife or family. We have every possible reason to believe, both from personal observation and general report, that Mr. Henrie's domestic relations are more than usually happy, and that he is a kind and affectionate husband and father. The number and character of the witnesses to Mr. Henrie's presence in Topeka on October 18th, '88, should settle that question, once for all. We personally know these witnesses to be reliable, and that some of them are not Mr. Henrie's personal or political friends.

By Mr. Senn: Q. In the first place, Mr. Henrie, I would like to know, did you ask the governor for the position you now occupy? A. No, sir.

Q. You were paid for the services you performed for the republican committee? A. Yes, sir.

Q. You were personally active in procuring the Vidette expose—I do not refer to the getting up of the printed matter; I mean the secret of it? A. No, sir.

Q. So you had nothing to ask outside of what you received in the way of regular pay for your participation in that part of the business? A. No, sir; I did not consider the republican party owed me anything.

Q. Were there any labor organizations asking for an appointment for you? A. No; and for no one else.

Q. Upon what ground do you put the appointment that you received, in your own mind—for what did you receive the appointment which you have now? A. Because of my fitness for the position I now occupy.

Q. You thought that was the sole ground? A. That is the sole ground that I based my claims on.

Q. Who presented your fitness for this position to the governor? A. I could not tell you as to that.

Q. You say you did not ask for it? A. Of the governor?

Q. Yes, sir. A. No, sir.

Q. Nor no labor organization asked for it, so far as you know? A. Not so far as I know.

Q. Then how did you suppose the governor or any other parties heard or knew of your special fitness for it? A. Why, I was well known to quite a number of gentlemen here in the city as being interested in work in that line; it was not a secret; my name appears in the previous reports, showing what I had furnished.

Q. You certainly have had some experience and knowledge of practical politics. Did you ever know of any appointment being made, at least here by this governor, without some one presenting and pushing some special claim for an applicant, or services that he had performed? A. I know very little about the appointments that the governor has made, and I know nothing about the reasons why he made them.

Q. From the testimony, it seems you were very much impressed with the importance of obtaining certain affidavits from Mrs. Barlow? A. Yes, sir; that is what the testimony would show; but if the testimony has left that impression on your mind, it has left, so far as I am concerned, a mistaken one.

Q. You had been well acquainted with the lady, I believe? A. Yes, sir.

Q. You made several trips to Kansas City in order to see her? A. No, sir.

Q. You did go to see her to obtain that affidavit? A. Yes, sir.

Q. If there was not much importance to it and being acquainted with the lady, why, when you went to see her, didn't you ask her in a straightforward manner to make that affidavit and get it, instead of, through the help of your wife, getting her out into a park and going to a strange notary public, and getting the affidavit in the manner the testimony has brought out? A. In the first place, I asked her for the affidavit in a plain, straightforward manner; in the second place, I didn't take my wife there for the purpose of inducing her to give the affidavit. It was simply a circumstance that my wife was there at the time. In the third place, if I had taken her to any notary in Kansas City, Kansas or Missouri, it would necessarily have been a strange notary, for I did not know any. In the next place, we did not go to the park for the purpose of any cajoling.

Q. Now since later testimony seems to prove that you were seen by many people here in the city on the 18th, how does it come that you were so anxious to procure affidavits that you were here on that day? A. Mr. Senn, I do not think I showed any great anxiety to procure affidavits to show that I was here on that day.

Q. The mere fact of obtaining the affidavits certainly proved that you were to a considerable extent solicitous about them? A. If I had been anxious, I would probably have obtained the affidavits of those gentlemen who have testified on the stand. If you refer to the affidavit of Mr. Cummings, I will say the reason I got his affidavit was, because he told me he was going to leave the city.

Mr. Senn said: "It seems to me, if I knew I had been in a certain place at a certain time, and had been seen by many people, that I would be quite content to rest

that fact until the matter was disputed, without procuring affidavits in any out-of-the-way place, that I had been there."

By Senator Kimball: Q. It was disputed that you were here? A. Yes, sir; both in the *Kansas City Times* and *Democrat*, and some other papers in the state, that I was here on that day.

Q. The fact that you were here, was disputed? A. Yes, sir.

By Mr. Senn: Q. Were you aware, at the time when you procured the affidavit, that you could prove the same fact by these witnesses that have since testified? A. Yes, sir.

Q. Did you think that would be sufficient; that their testimony would be sufficient? A. I did.

By Senator Kimball: Q. You understood, did you not, Mr. Henrie, that some person had recommended you to the Governor for appointment? A. Yes, sir.

Q. Did you understand that Mr. Hutchins had done that? A. That was my impression.

Q. You had spoken to him about it? A. Yes, sir.

Q. That you would like to have him secure the place? A. Yes, sir; and I detailed the circumstances of having been an applicant for the place two years before.

Q. And you understood he was friendly to your appointment, Mr. Hutchins? A. Yes, sir.

Q. And you understood that he was somewhat influential in the Republican party at that time? A. Yes, sir.

Q. And these things led you to believe that you stood a pretty good chance of getting the appointment; that is, the fact that Mr. Hutchins was friendly to your appointment and was going to say something in your favor, and the other fact you have mentioned, that you considered yourself fit for the place? A. Yes, sir.

By Mr. Curtis: Q. Had you done work before for the bureau? A. Yes, sir.

Q. Was your appointment made by the governor, or by Mr. Betton? A. I always understood I was hired directly by Mr. Betton.

Q. Had the work you had performed for the bureau been performed while Mr. Betton was chief of the bureau? A. Yes, sir.

Q. Was you ever appointed in writing, or simply given a clerkship? A. Simply given a clerkship.

By Mr. Henderson: Q. You say, Mr. Henrie, that your peculiar fitness for the position was the recommendation which you had for the position you obtained at the hands of the present state administration? A. I said that was the reason why I urged my claims.

Q. To whom did you urge your claims? A. To whomever was friendly and I thought could secure me the position.

Q. Whom did you ask that you be recommended for that position? A. I went straight to Mr. Betton.

Q. When did you go to Mr. Betton? A. I had been with Mr. Betton nearly every day.

Q. Was it before or after the election? A. I was an applicant for two years before the election.

Q. You did not get the appointment? A. No, sir; the appropriation was not sufficient so that he could employ me.

Q. It was not sufficiently increased? A. No, sir.

Q. Now, when did you go to Mr. Betton and talk with him about your appointment with reference to the day of the dynamite explosion at Coffeyville? A. The first time I remember after that was in February, 1889.

Q. You were present when the governor testified before this Committee, were you not? A. Part of the time.

Q. Do you remember that he said your name was suggested for that position prior to the election? A. I do not know whether he did or not.

Q. Well, don't you know that it is a fact? A. No, I do not know that it is a fact.

Q. Have you no reason to think it is a fact? A. I have a good many reasons to believe that it was a fact.

Q. You talked with Mr. Hutchins about that matter? A. Yes, sir.

Q. You talked with him immediately after the Coffeyville dynamite explosion? A. Yes, sir; and several times before.

Q. And you were unqualifiedly promised his influence in obtaining that position if L. U. Humphrey was elected governor? A. No, sir; that was not the proviso.

Q. What was the proviso? A. The only proviso that I understood about my appointment, was if an adequate appropriation was made, I could get the position.

Q. I will ask you if it is not a fact, that there was a petition presented to the governor immediately after his inauguration, signed by eighteen persons, recommending the appointment of Mr. Cougher as commissioner of labor, and you as an assistant? A. There was a petition presented recommending Mr. Cougher as commissioner, but it had no reference to me.

Q. You say it had no reference to you? A. As I remember, it had no reference to me.

Q. Did you circulate the petition? A. I did not.

Q. Did you see the petition after it was prepared? A. I saw it after it was prepared and signed.

Q. By whom was the petition prepared, if you know? A. I do not know.

Q. Do you know who signed that petition? A. I simply have a remembrance that the number of names was the number you mentioned.

Q. Do you remember any name that was signed to that petition? A. Well, I know they were names of senators; that is all I do know.

Q. All senators? A. I think they were all senators.

Q. Henry Booth signed that petition? A. I think not.

Q. Do you say to this Committee that Booth's name was not on that petition? A. Henry Booth's name was not signed to that petition, as I remember it.

Q. Did Billy Buchan, commonly called Senator Buchan, sign that petition? A. From my personal inspection of the petition, I could not say that Mr. Buchan did or did not sign it; but from what I know of the circumstances, I would say he did not.

Q. Did Bion Hutchins sign that petition? A. I do not think he did.

Q. Don't you know Bion Hutchins took that petition to the governor? A. I knew nothing about it.

Q. Did you not talk with him about that petition? A. I do not think I did.

Q. At no time? At no time.

Q. Did you ask Mr. Betton for the position you now occupy? A. Yes, sir.

Q. When was it now, with reference to the election in 1888, the first time you spoke to him upon that subject? A. I could not tell the date.

Q. About when? A. Any time perhaps a month before or a month after the election. If I saw him I probably talked with him about it.

Q. It might have been a month before the election? A. Yes, sir.

Q. Don't you know it was? A. I do not know it was.

Q. Don't you know it was on the 20th of October, 1888? A. I do not know whether it was on the 20th of October or whether it was on the 20th of November.

Q. Didn't you and Bion Hutchins go to see him upon that day? A. I do not think we did; in fact I am sure we never went together.

Q. Did you ever take a communication from Bion to Mr. Betton? A. No, sir.

Q. You are certain about that? A. Yes, sir.

Q. Did you ever talk with Bion Hutchins, in which conversation he said to you that he had seen Mr. Betton and had arranged a meeting between you, himself and Mr. Betton? A. It is possible.

Q. Was that not prior to the election? A. I do not think so.

Q. Did he not say to you in that conversation that Henrie's scheme in Cincinnati worked well; and it had worked reasonably well in Kansas politically, but detrimental to a family; and in order to retain the secrets of this work Mr. Henrie must be cared for? A. I do not understand the question. I do not understand from your question whether you mean a conversation between myself and Mr. Hutchins, had in the presence of Mr. Betton, or a conversation that you insinuate that Mr. Betton and Mr. Hutchins and myself had.

By Senator Kimball: Q. Don't you know whether you ever had such conversation, or heard any such conversation between anybody? If you did, you know it, and should answer the question. A. I never did have any such conversation.

By Mr. Henderson: Q. With no person, and at no place? A. No, sir.

Q. You never heard any such conversation? A. No, sir.

Q. You received information that any such conversation took place? A. No, sir.

Q. And at this time if any such conversation did take place you are entirely ignorant of that fact? A. Yes, sir.

Q. What labor organizations, if any, recommended your appointment as clerk in the labor bureau? A. I know of no labor organization that recommended me. I asked for no recommendation from any labor organization.

Q. You asked no labor organization for any such recommendation? A. That is what I said.

Q. You said, I believe, the republican party was under no obligations to you? A. I said, so far as I was concerned, I did not consider them under any obligations to me.

Q. You said, in substance, that for what services or labor you did perform for the republican party in the state of Kansas, you were fully compensated in dollars and cents? A. Yes, sir.

Q. Now don't you remember, Mr. Henrie, of receiving a suit of clothes in the fall of 1888, sent to you at your residence? A. Yes, sir.

Q. And were you not afterward surprised of the fact that the genial Bion S. Hutchins had sent you that suit of clothes? A. No, sir.

Q. You stated yesterday that you had no recollection of receiving a suit of clothes at the time I have designated, did you not? A. Yes, sir.

Q. Since which time your memory has been refreshed? A. Yes, sir.

Q. How long prior to the 15th day of August, 1888, had you been in correspondence with A. S. Houghton, of Cincinnati, Ohio? A. My best recollection is that it was in May I first began corresponding with him.

Q. Was the correspondence that you had with him submitted to the republican state central committee during the month of September, 1888? A. It was not.

Q. Did they know anything about your contemplated visit to Cincinnati? A. The republican state central committee was not in existence, therefore they knew nothing about my visit to Ohio.

Q. Do you say to this Committee that the republican state central committee was not in existence in 1888? A. When I was in Cincinnati in 1888.

Q. When were you in Cincinnati? A. I went in the spring of 1888.

Q. When did you go to New York? A. In September, 1888.

Q. Well, the republican state central committee had existence at that time? A. Yes, sir.

Q. And Mr. Bion Hutchins breathed and possessed his being at that time, did he not? A. I think he did; to the best of my recollection, he did.

Q. And you had frequent conversations with him with reference to your contemplated visit to New York. A. No, sir; I did not have frequent conversations with reference to my contemplated visit to New York.

Q. Did you have one conversation with him upon that subject? A. I did, I presume.

Q. And how many passes did he furnish you for that trip? A. He did not furnish us any passes for that trip.

Q. From whom did you obtain the transportation that conveyed you to New York city? A. I procured it from the ticket agent.

Q. Do you tell this Committee that you bought your ticket that conveyed you to New York? A. I do, sir.

Q. Did you not have passes? A. I did not. I had a pass on the Santa Fe from here to Kansas City.

Q. Did you have any passes sent to you when you went to Cincinnati? A. No, sir.

Q. Is it not a fact that you sold Mr. Wakefield a pass to New York? A. No, sir, I did not.

Q. You did not? A. I did not.

Q. Did you sell him a pass to Cincinnati? A. I did not.

Q. Did you offer to sell Whitley a pass? A. No, sir; I did not.

Q. You did not? A. I did not.

Q. You tell this Committee you did not offer to sell him a pass to New York? A. I do.

Q. Did you offer to sell him a pass to Cincinnati? A. No, sir.

Q. Did you have any conversation, or offer any inducement to him to go with you, to carry out a plan contained in the letter marked Exhibit 40? A. No, sir.

Q. Did you have any talk with Mr. Cougher about it? A. No, sir; not with reference to that letter.

Q. Or with reference to the contemplated visit to Cincinnati? A. Yes, sir.

Q. That you did have such a conversation? A. Yes, sir.

Q. How many passes did you give Mr. Cougher for the contemplated visit to New York and for him to dispose of for some consideration or otherwise, in order to obtain a delegation of laboring men from Kansas to attend the convention to wipe out the union labor party of Kansas? A. None.

Q. You never gave him any passes to dispose of for that purpose? A. None.

Q. Did you authorize him to make any promises of that kind? A. Concerning passes?

Q. Yes, sir. A. No, sir.

Q. Transportation? A. I had transportation, but no passes.

Q. What do you mean by transportation? A. I mean tickets.

Q. How many tickets did you have? A. I do not remember; I think I had four.

Q. When did you obtain these tickets? A. I got them through my newspaper from the Santa Fe Railroad.

Q. For what purpose, to attend that particular meeting? A. To go to Cincinnati?

Q. Whatever transportation you did have were tickets or passes obtained from the Santa Fe Railroad Company for you and three others to go to Cincinnati and return? A. Yes, sir; mind you I mean tickets, not passes.

Q. How many of them did you dispose of? A. I took the full delegation, every ticket I had, if I remember correctly.

Q. Now, you knew this man Dr. J. W. Harlan in 1889, did you not? A. Yes, sir.

Q. And it was you who requested the interview with the persons mentioned in this communication, headed "Let Justice be Done," and as is found in Exhibit 41? A. I did not request it, no sir.

Q. I will ask you further if it was not a fact that you wrote the editorial appearing in column 1 of page 4 of the Exhibit 41? A. No, sir.

Q. Are you acquainted with Dr. Harlan's handwriting? A. I do not think I ever saw it.

Q. Do not think you ever did? A. No, sir.

Q. You were intimately acquainted, were you not? A. No, sir.

Q. Didn't you frequently visit his rooms here in Topeka? A. No, sir.

Q. Never did? A. I did visit his rooms.

Q. Is that his handwriting? [Handing witness postal card.] A. No, sir—I do not know.

Q. You don't know that? A. No, sir.

Q. I will ask you if it is not a fact that you wrote this letter yourself? A. No, sir.

Q. And if you did not take out these things which Dr. Harlan said, and put in those which you wanted? A. No, sir.

Q. Don't you know it was done at your instance? A. No, sir.

By Mr. Curtis: Q. What explanation was it you desired to make—something about the clothes? A. I simply wanted to say that in the fall of 1888, and the fall of 1889, and the fall of 1890, some kind friend sent me a suit of clothes each fall.

Q. Did you know who they were from? A. No, sir; I did not.

Q. You may state to the Committee how you obtained these tickets, and what your connection was with the parties that went to Cincinnati with you. A. I sent the man who was attending to the business for my paper to the Santa Fe and made arrangement to pay them, for I think four tickets to Cincinnati and return. With these tickets in my possession, I secured a delegation to go to Cincinnati.

Q. Well you tried to dispose of these tickets to get some persons to go with you? A. I offered transportation to men whom I knew to be single-tax men.

Q. Was Mr. Whitley one? A. I think it quite possible.

By Mr. Henderson: Q. You said I believe in your examination formerly that you was in Winfield on the 9th day of October, 1888? A. Yes, sir, I said I was there.

Q. And that you stopped at the Bobbett House? A. Yes, sir.

Q. And that you registered at the hotel? A. I did not say that I registered.

Q. Well, did you register? A. I do not know whether I did or not.

Q. You took dinner at the Bobbett House? A. I did—yes, sir.

Q. Do you remember what name you registered, if you registered at all? A. No, I don't.

Q. Do you say you did not register? A. I do not say that I did not.

Q. Didn't you register under the name of J. O. Brown, Kansas City, Mo.? A. I could not state whether I did or not.

Q. You have no recollection? A. No, sir.

Q. By what name did you introduce yourself in Winfield to parties with whom you had no acquaintance? A. I do not remember introducing myself to any one in Winfield with whom I had no acquaintance.

Q. You stated your business, did you not, to strangers? A. I did not talk with strangers, except Mr. Greer.

Q. You told him you was in the newspaper business? A. Yes, sir.

Q. Traveling for some house in Kansas City? A. No, sir; I do not think I did.

Q. Do you remember what you did tell him? A. I think I remember in substance.

Q. Did you tell him your name at that time? A. No, sir.

Q. You are certain about that? A. Yes, sir.

Q. Now I will ask you again if you don't know that you registered at the Bobbett House on October 9th, 1888, under the name of J. O. Brown, Kansas City, Mo.? A. I do not know that to be a fact.

Q. Do you say that you did not? A. No, sir.

Q. Did you ever at any time assume the name of J. O. Brown? A. It is possible that I might have done so, but I do not remember now.

Q. You don't remember? A. No, sir; I don't think of any reason why I should.

Q. You have no recollection of at any time sailing under an assumed name? A. No, sir.

Q. Or representing yourself to be some one other than C. A. Henrie? A. No, sir.

Q. Do you remember of ever representing yourself living at a place where you at the time were not living? A. No; I do not know of any such circumstance now.

Q. [Handing witness register of the Bobett House, Winfield, Kansas, under date of October 9th, 1888.] State to this Committee if it is not a fact, that you signed the name of J. O. Brown, Kansas City, Mo., appearing on that register? A. I should say that was not my handwriting, and in the absence of being able to identify it in that way, I could not say whether it was or not.

Q. Don't you know you signed that name on that register? A. No, sir; I do not.

Q. You ate dinner at the hotel? A. Yes, sir.

Q. You paid your bill? A. Yes, sir, I did, I guess; it is marked paid.

Q. But you will not say to the Committee that you didn't sign that name J. O. Brown? A. No, sir; I did not.

Q. Do you remember Mr. Bobbett, the proprietor of the Bobbett House? A. No, sir; I do not.

Q. Do you remember who was behind the counter, or desk, of the hotel at the time you registered? A. No, sir.

Q. Do you remember any persons that were in the office of the hotel at the time you entered? A. No, sir.

Q. Was there anybody there? A. Yes, quite a number of them there.

Q. Was there any person behind the desk? A. I do not remember of going to the desk at all; I do not remember whether there was a desk in the office or not.

Witness was excused.

BION S. HUTCHINS, being duly sworn, testified as follows:

Examined by Mr. Dawes: Q. State your name. A. Bion S. Hutchins.

Q. Where do you reside? A. At Clay Center, Kansas.

Q. How long have you lived there? A. About sixteen months.

Q. Where did you live prior to going to Clay Center? A. At Kingman, Kansas.

Q. How long did you live at Kingman? A. About six years and a half.

Q. Where did you live before that? A. At Beloit, Kansas.

Q. How long did you live at Beloit? A. Two years.

Q. Where did you live prior to going to Beloit? A. I called my home for two years previous to that time at Lawrence, Kansas, where I was attending the State University.

Q. How long have you resided in Kansas? A. Since 1871. I lived previous to going to Lawrence at Independence, Kansas.

Q. And you attended the State University for two years? A. I attended the State University a good portion of the time for five years, beginning in 1876.

Q. And two years of the time — twice at Lawrence? A. Yes, sir; for two years I called Lawrence my home, because my parents moved from Independence in 1870.

Q. What were you engaged at while you lived at Beloit? A. I was superintendent of the city schools at Beloit.

Q. What business did you engage in in Kingman? A. During the first year from the summer of 1883 to the fall of 1884, I was in the mercantile business, running a country store at Bross, in the southwestern part of Kingman county.

Q. What were you doing the balance of the time? A. From 1884 until the summer of 1887 I was editor and publisher of the Kingman *Leader*, a weekly newspaper. From 1887 until 1889 I was trading in real estate, doing a little real estate and loan business, etc.

Q. What business have you been engaged in since living in Clay Center? A. I have been publishing and editing and publishing the Clay Center *Dispatch*.

Q. Well then, the business you have been engaged in there was the newspaper business, wasn't it? Yes, sir.

Q. You were a member of the republican state central committee in 1888, were you? A. I was secretary of the republican state central committee in 1888.

(Counsel stated. "You have not answered my question. Please read the question to him." Stenographer read the question.)

Q. Were you a member of the republican state central committee in 1888? A. No, sir.

Q. What position with the republican state central committee did you hold, if any? A. I was secretary of the republican state central committee in 1888.

Q. How long did you hold that position? A. Two years.

Q. When were you elected as secretary? A. About the first of August, 1888.

Q. That was at the organization of the committee? A. Yes, sir; at the permanent organization of the committee.

Q. Who was elected chairman at that time? A. Mr. Henry Booth.

Q. After the organization of the committee, were there any rooms engaged at republican headquarters? A. There were.

Q. Where were they? A. At the Windsor Hotel, Topeka.

Q. Do you remember the numbers of the rooms? A. I do not. I think one and two.

Q. On what floor of the hotel? A. On the second floor.

Q. They were in the southeast corner of the building, were they not? A. Southeast corner, second floor.

Q. How many rooms? A. We engaged two office-rooms and three sleeping-rooms for officers of the committee.

Q. Now, the republican headquarters were what we were talking about, Mr. Hutchins; we want to know how many rooms were used as republican headquarters — one, or two? A. Two.

Q. And these rooms were occupied as such headquarters until what time? A. Until about the 10th of November, 1888.

Q. After the election? A. Yes, sir.

Q. How many clerks, if any, did the committee employ? A. We had an assistant secretary, Mr. W. A. Gebhardt, and from one to two or three helpers about the headquarters — stenographers and others — at different times.

Q. Can you now state who these helpers were? A. Col. Prouty, since dead, was one of them, and several different parties at different times during the campaign as stenographers.

Q. Can you name them, or any of them? A. Mr. Stafford was one, and Mr. W. W. Admire. I think that is all I remember the names of; there were several others.

Q. Was Mr. Henrie employed there? A. Not as a clerk in the office. He occasionally helped there about matters. They were had to look after sending out documents, but not regularly employed.

Q. What was the first work that Mr. Henrie did for the committee? A. I do not know, or at least I do not remember.

Q. Do you remember the nature of any of the work done by Mr. Henrie? A. I do.

Q. Was part of that work in connection with the expose of the Videttes? A. It was.

Q. Now what I want is, what work, if any, did Mr. Henrie do for the republican state central committee other than that connected with the expose of the Videttes? A. The work which Mr. Henry did during the campaign cannot easily be defined. He was present at headquarters very frequently from the day of the organization of the headquarters; and gave advice to the officers of the committee in reference to a great many matters, especially looking toward the securing of votes from the labor element, and means to be employed to that end. He possibly made, and probably made several short trips on errands of that sort. He made a trip to New York, I think during the month of September, which we regarded as of some importance to the Republican cause of the country.

Q. Do you know whether he made a trip to New York solely at the request of the republican committee? A. He did not.

Q. What other matter was he going to New York for? A. He did not show me the correspondence that called him to New York on other matters, but informed either myself, or Mr. Booth, so that I became possessed of the information, that he desired and expected to attend a meeting of the national committee of the united labor party, of which he was the Kansas member, which was to take place in New York City sometime during the month, about the middle of the month of September, 1888.

Q. That meeting was something concerning the devising of means to keep the united labor ticket in the field, was it not? A. That was our information.

Q. And in that connection you wanted Mr. Henrie to do some work for you? A. We wanted Mr. Henrie to do some work for the republican party.

Q. And didn't that work principally consist in keeping the united labor ticket in the field? A. That, I think, was part of it; probably the principal part.

Q. Mr. Henrie was not at that time a very enthusiastic union labor man, was he? A. He was antagonizing the union labor party.

Q. And was so, was he, at the time he was employed by the committee? A. He was.

Q. Did the committee understand before employing him that he was antagonistic to the union labor party? A. They did.

Q. Did the committee know before employing him that he had been identified with labor organizations? A. They did, or at least had reason to believe so.

Q. How did the committee obtain this information; that is, what induced the committee to employ Mr. Henrie? A. Mr. Henrie was recommended to the officers of the committee by Hon. P. I. Bonebrake, chairman of the republican state central committee four years previous. He was also recommended by Governor John A. Martin, at that time governor of Kansas; by Major J. K. Hudson, editor of the *Topeka Capital*; by Hon. D. C. Metsker, mayor of the city of Topeka; and I think others.

Q. Besides the trip to New York, which you say was partially for the republican committee, did Mr. Henrie make any other trips for it? A. He made one trip that I distinctly remember of—one trip to Winfield in the month of October, 1888.

Q. For what purpose was he sent to Winfield? A. To gain some information for the use of the committee.

Q. What was the nature of the information which the committee wanted? A. It was information that we desired in reference to a certain expose of a certain National Order of Videttes, which had appeared shortly before, namely, on or about the 4th day of October, 1888, in the *Winfield Daily Courier*; and the manner in which the expose was affecting public opinion, and especially those against whom it was directed.

Q. Well, that expose consisted simply of the publication of the secret work of the order—that is, the ritual? A. Yes, sir.

Q. Who did the committee tell Mr. Henrie to visit at that place, if anyone in particular? A. I do not think the committee specified anyone to whom Mr. Henrie should pay his respects. They sent him out to gain certain information and trusted to his judgment as to how he should get it, where he should go, and when he should return.

Q. Do you know how long he was absent at that time? A. I do not remember exactly—a day or two.

Q. After his return from Winfield, you may state to the Committee if you began the preparation of the expose of the Videttes, that was published in the *Courier* on the 18th of October, and in the press generally on the 19th? A. Yes, sir; almost immediately.

Q. Who prepared the article known as the expose of the Videttes—the one of October 18th? A. It was largely prepared, and, I think, written entirely, by Mr. C. A. Henrie.

Q. By prepared, do you mean the arrangement of it? A. The arrangement of the subject-matter is what I mean by being prepared.

Q. That is, the way in which it should appear in the article? A. Yes, sir.

Q. About how long was he engaged in the preparation of that article? A. Five or six days.

Q. Did anyone assist him in any way? A. Yes, sir.

Q. Who was it? A. Mr. Greer came from Winfield and offered some advice, and I think I wrote out considerable manuscript which he thought would be well to become a part of the second expose. I myself was consulted with reference to the matter at every step, and as I remember, had a great deal to say as to what should go in and what should not go into the final manuscript.

Q. Was Mr. Booth consulted about that, too? A. Very little. He turned it over, so far as the preparation of the matter was concerned, to myself to supervise.

Q. Was the article written in the republican headquarters? A. Not in the two rooms designated as republican headquarters.

Q. Where was it written? A. It was prepared in the room occupied by myself as a sleeping-room, in the same hotel with the republican headquarters.

Q. Now these rooms of the committee were open to the public, were they not? A. Yes, sir, at all times.

Q. I want you also to state if it is not a fact that almost always, day and night, as long as the rooms were open, the rooms were crowded with people as a general thing? A. They were not always crowded; but from 8 in the morning until 12 at night for nearly ninety days during the campaign there was almost always somebody, other than the officers of the committee, present in those rooms.

Q. It did not require any grip, sign, or password for anyone to go in there, did it? A. No, sir.

Q. They were run openly? A. They were open to anybody that cared to call, at any hour.

Q. So the preparation of this article was done in another room? A. Yes, sir.

Q. In the crowded condition of the rooms known as headquarters, people run-

ning in and out, would it have been possible to have arranged and prepared an article of that kind there during business hours? A. It might have been among the possibilities, but it was something I should not have undertaken.

Q. Was there any agreement or understanding between Mr. Greer and the committee as to where that article should appear first? A. Yes, sir.

Q. Where? A. In the *Winfield Daily Courier*.

Q. When was it to be published by Mr. Greer? A. Whenever it should have been prepared for immediate and general publication, and when the time should have come when we thought it advisable to make the publication.

Q. The committee, then, did take steps to have the article published in the press throughout the state? A. Yes, sir.

Q. What arrangements did it make in that direction? A. You want the whole detail now?

Q. Yes, sir; what they did do. A. Prepared plates or matrices of the matter, after having it set in type at the state printing office, and sent these matrices to the daily morning papers of the state, also to the Kansas City and St. Joseph papers.

Q. It was understood that after these had been sent out and were in the hands of the different papers, that on notice to Mr. Greer he was to publish the article in his paper? A. Yes, sir.

Q. Was there any agreement or understanding between you and Mr. Greer as to the nature of the notice to be sent him? A. Yes, sir.

Q. What was it? A. The peculiar wording of a telegram.

Q. What was the agreement between you and Mr. Greer as to the kind of telegram that should be sent? A. It was agreed that when the matter had been sent out and was in the hands of the publishers of the daily morning papers, so that they might publish it the following morning, we were to notify him by this specially-worded telegram of that fact, and he, having previously put the same matter in type in his office, should upon this notice publish it that day.

Q. I will ask you again, what did you and Mr. Greer agree that that telegram should be, the words of it? A. "O. K.; all busy here."

Q. Did you send a telegram of that kind? A. I did.

Q. Was it the telegram introduced in evidence in this investigation when Mr. Greer was on the witness stand? A. It was.

Q. What was the agreement between you and Mr. Greer as to the meaning of the words "O. K.; all busy here"? A. I meant that all arrangements had been completed which had been agreed upon that I should make; and that it was time for the immediate publication of the matter in his paper.

Q. Then it meant for him to publish it at once? A. It did.

Q. He did publish it at once, did he? A. I believe he did, at least a copy of his paper for that day, namely, the 18th day of October, 1888, contained the article.

Q. And you sent this telegram on this date, did you? A. I did.

Q. After this expose had been made, did Mr. Henrie work for the committee? A. I rather think not.

Q. Do you know anything about what caused the explosion at Coffeyville, Mr. Hutchins? A. I do not.

Q. When did you first hear of that explosion? A. I think it was on the morning of the 20th or sometime during the day of the 20th.

Q. Did you ever hear of any expected explosion prior to that time? A. No, sir.

Q. Was there any talk about it around the committee rooms by anyone? A. No, sir, not that I ever heard.

Q. Did the committee buy any dynamite that fall? A. No, sir.

Q. Manufacture any? A. No, sir; not that I knew of.

Q. Anybody manufacture any for the committee? A. No, sir.

The Committee adjourned, to meet at 2 o'clock P. M.

TOPEKA, March 31, 1891 — 2 o'clock P. M.

Committee convened pursuant to adjournment; a quorum present.

Brom S. HUTCHINS further testified, as follows:

Examined by Mr. Dawes: Q. When did you first become acquainted with one George W. Poorman? A. About the 5th of October, 1888.

Q. Where did you meet him? A. At republican headquarters, city of Topeka.

Q. How long did he remain there? A. He remained about town for perhaps part of two days.

Q. How much of that time was spent in the committee rooms? A. A very small part of it.

Q. How did he happen to come there; did the committee send for him? A. They did not.

Q. What time of the day did he come there? A. I am unable to be certain whether it was in the forenoon, or in the afternoon.

Q. What did he want? A. Apparently he wanted some money to get home to his father's residence in Ohio.

Q. Well, was there any transaction of business matters between the committee and Mr. Poorman of any kind? A. If you mean a transaction relating to money, I will say that Mr. Booth gave to Mr. Poorman, I think he told me \$10, out of his own pocket; but no order for any amount was ever drawn by the committee in favor of Mr. Poorman.

Q. Were there any business matters, political or otherwise, transacted between Mr. Poorman and the committee in relation to anything? A. Mr. Poorman told about an experience that he had recently had in the southern part of the state of a political nature; and intimated or said he thought it had interest for the state committee, and desired us to have the information.

Q. Now, what matter was that he claimed to have been connected with in the southern part of the state? A. Procuring a certain secret work of a certain secret organization of a political nature.

Q. I will ask you, Mr. Hutchins, was it the ritual published by Ed. Greer? A. I think that was what it was; that he delivered to a certain party a copy, and told us about it.

Q. Was there any arrangement or agreement entered into between Mr. Poorman and the committee, or any member or any officer of that committee, by which Mr. Poorman was to do any work of a political nature or otherwise for the committee? A. No, sir.

Q. After Mr. Poorman went away at that time, when did you next see him? A. In the city of Topeka during this investigation.

Q. In the meantime, did you have any communication with him? A. Personally, I had no communication with him either to him or from him. Mr. Booth had a letter from him.

Q. And that is the letter that has been testified to in this investigation, is it not? A. Yes, sir; a letter from St. Louis a day or two after he had left the city.

Q. You heard Mr. Highleyman's evidence, didn't you? A. Yes, sir.

Q. And you heard the letter introduced in evidence and read, that stated something about Mr. Poorman's father being interviewed about George W. Poorman's

connection with the Coffeyville explosion; and that he was very badly scared about it? A. Yes, sir.

Q. I will ask you to look at the letter from Wm. Drugan to I. D. Highleyman at page 250 of the printed record of this investigation, and ask you if that is the letter you have reference to? A. That is the letter, Exhibit 34.

Q. After the introduction of that letter, I would ask you if you had any communication with the father of Geo. W. Poorman? A. I telegraphed to Col. C. L. Poorman.

Q. That is Geo. W.'s father? A. I understood him to be Geo. W. Poorman's father.

Q. I will ask you to look at this paper [handing witness a paper], and state if it is a copy of the telegram you sent him. A. It is.

Q. Please read it to the Committee. A.:

TOPEKA, KANSAS, March 5, 1891.

Col. C. L. Poorman, Bellaire, Ohio: Did Drugan or others ever interview you about George's guilt?

B. S. HUTCHINS.

Q. Did you ever receive any reply to that communication? A. I did, the next day.

Q. Please look at that paper [handing witness a paper], and state whether or not it is the telegram received in answer to the one you sent. A. It is.

The telegram was offered in evidence, marked "Exhibit 42," and was as follows:

[EXHIBIT 42.]

THE WESTERN UNION TELEGRAPH COMPANY.

[Printed matter.]

No. _____

Sent by _____

Received by _____

6 C. H.

MB.

W. 21. Collect \$1.00.

Received at Topeka, Kansas, 10:14 A., 3-6, 1891.

Dated BELLAIRE, OHIO, 6.

Cx.

To B. S. Hutchins: Never had interview with Drugan, McCormack, or anyone else, about George or his actions in relation to Kansas affairs.

C. L. POORMAN.

Cx-W. C. R. 10.52 A.

Q. When George W. Poorman first came to the committee rooms, how long did he remain there? A. Perhaps an hour or two.

Q. Did he at any time occupy a parlor of the hotel adjoining the committee rooms? A. He was in the parlor several times during the day, at least I saw him in there once or twice.

Q. Now, Mr. Hutchins, when was it you came into possession of the proceedings of the meeting of the National Order of Videttes at Yates Center? A. It was, I think, on the 5th of October, 1888.

Q. Where did you get it? A. I found it in the parlors of the Windsor Hotel opposite our committee rooms.

Q. Who had occupied the parlor just prior to your finding it there? A. During the forenoon of that day I remember at different times of seeing George W. Poorman, C. A. Henrie, W. H. T. Wakefield, Mr. G. C. Clemens, and other parties whose names I have forgotten, in that room.

Q. In what part of the parlor did you find the paper—on the floor, table, sofa, or where? A. I have forgotten whether it was on a chair, sofa, or whether I picked it up off the floor. The exact spot I found that in I cannot tell you. It was upon some chair or sofa, I think.

Q. Mr. Hutchins, I believe you did state that Mr. Wakefield was in the room during that day? A. That is my recollection of it.

Q. Did you or any member of the committee, to your knowledge, purchase and send C. A. Henrie a suit of clothes? A. I never did; if the committee ever did, I never knew it; if any member of the committee did, I never heard of it.

Q. You spoke of Mr. Greer coming to Topeka and assisting in preparing the article exposing the Videttes; could you state what day he arrived in Topeka? A. Yes, sir.

Q. Please do so. A. I can say the time when I first saw him in Topeka.

Q. All right. A. It was not later than 9 o'clock on the morning of October 12, 1888, in the committee rooms of the republican state central committee.

Q. How long after Mr. Greer came was it before he met Mr. Henrie? A. My recollection is that it was not more than an hour or two.

Q. Had they been acquainted before that, do you know? A. I do not think they were known to each other as Greer and Henrie—I understood so, at least.

Q. Did you introduce them? A. I did.

Q. Was there any other subject discussed by you and Greer and Henrie except the Vidette expose? A. The past expose and the one to come were the only subjects of which I remember.

Q. You were present when the witness, Snider, testified, were you? A. I was.

Q. Were you acquainted with Mr. Snider? A. When?

Q. At any time. A. I have been acquainted with Mr. Snider for seven years.

Q. Where did you become acquainted with him? A. At Kingman.

Q. He resides at Kingman, does he? A. He does.

Q. You heard his testimony, did you? A. I did.

Q. Did you have a conversation with him in the spring of 1889? A. I did.

Q. Please state to the Committee what that conversation was and where held. A. I went to the office of Mr. S. H. Snider's newspaper, the *Voice of the People*, in Kingman, Kansas, sometime I think during the month of May, to procure a copy of his paper for the purpose of looking over certain articles which were being republished in his paper from the original publication made in the *Non-Conformist*, at Winfield.

Q. What articles were they? A. They were articles wherein the proprietors of the *Non-Conformist* were pretending to unfold the plot of the Coffeyville dynamite explosion.

Q. Were the articles charging anybody with that offense? A. The articles referred to charged the republicans.

Q. Generally? A. Generally, the republican state central committee in particular, and myself especially, as having been the instigators of that explosion.

Q. You went there to get copies of the paper containing these articles? A. To get the last copy containing the last reprint.

Q. At that time, did you have any conversation with Mr. Snider? A. I did.

Q. Tell the Committee what that conversation was. A. It would be pretty hard to repeat a half-hour's conversation at the period of two years and a half after it has taken place.

Q. Did you discuss the Coffeyville explosion and the exposure of the Videttes? A. We discussed the exposure of the Videttes to quite an extent, and the explosion to a very slight extent.

Q. Who was present at the time? A. Two or three gentlemen, Mr. Swartz, I think, and perhaps Mr. Tiffany, besides Mr. Snider and myself.

Q. During that conversation, and in connection with the talk about the Coffeyville explosion, I would ask if Mr. Snider said to you these words: "Bion, the Vincent boys are going to put you in the penitentiary"? A. I do not know whether he used the words, "Vincent boys" in connection with that remark or not, but it was something to the effect—one of his remarks—that the matter would end by putting me in the penitentiary.

Q. Did you get pretty pale about that time? A. I do not know, not having a

looking-glass convenient. I rather imagine, from my remembrance of my feelings, that I got more red than pale. When I get angry I get red, unless it is very angry. I do not think I was angry enough to get white. I was very indignant that persons who professed to call me a friend, and pretended to any sort of friendly relations, should make an insinuation of that kind to my face, or to my back.

Q. You had been acquainted with him a good many years prior to that? A. Three or four years.

Q. You had been on friendly terms? A. In a social way, not politically.

Q. Mr. Snyder was a union labor man, was he? A. He had been; there was not much left of the union labor party at that time.

Q. After the remark that he made to you, what did you say to him in reply? A. I presume that I made the remark I am credited with having made by the other witnesses testifying; but I guess not.

Q. Did you say in that conversation, to Mr. Swartz, that you knew much more about the Coffeyville dynamite explosion than he did? A. I did not.

Q. What did you say? A. I might have said I knew a great deal more about my part of that explosion or affair than he did; that was the subject of the discussion, I think, as to my part of that transaction.

Q. That was after he had charged you with being guilty, and that they were going to send you to the penitentiary? A. I think so.

Q. Any statement you desire to make, further than that already made, you may now make. A. I desire to say in reference to the conversation spoken of, that I very emphatically and with a good deal of indignation denied that I had any knowledge whatever as to who was guilty in connection with the Coffeyville dynamite explosion; and I made no remark that could possibly be interpreted by any sane man to the effect that I had any knowledge, directly or indirectly, of any kind or character concerning it. I not only made that remark at that time, but reiterated the same thing at other times, to Mr. Snider, at least, of those present.

Q. There has been something said in the evidence about the republican committee having paid Mr. Greer quite a sum of money for publishing the Vidette expose; you may now state, Mr. Hutchins, what the committee paid him, if anything? A. The committee never paid Mr. Greer or any other publisher a single dollar or cent for publishing that expose.

Q. Do you know Mrs. Mary E. Lease? A. Yes, sir.

Q. When did you first become acquainted with her? A. Probably in the year—somewhere from 1883 to 1885. I do not remember the first time I met Mrs. Lease, or the first time I saw her.

Q. Where did you get acquainted with her? A. At Kingman, Kansas.

Q. Was she living there at that time? A. She lived at Kingman, I think, in 1883 or 1884, or perhaps it was 1885 that she lived at Kingman; I am not certain whether I knew her personally when she lived at Kingman, or whether I became acquainted with her after she moved to Wichita and came to Kingman visiting.

Q. You were present and heard her testimony in this investigation, were you not? A. Yes, sir.

Q. Did you meet her at Clay Center at the time she said you did? A. I met her at Clay Center on the evening of the 14th of September, 1890.

Q. At the Hotel Bonham? A. Yes, sir.

Q. At her rooms? A. At room 17; the one occupied by her while there.

Q. During that conversation did you rub your hands gleefully, and then chuckle and say, "That scheme did work splendidly, didn't it?" referring to the Vidette expose? A. I think not; I have no recollection of doing so.

Q. During that conversation, did Mrs. Lease say to you, referring to the Vidette

expose, these words: "You know there was nothing in it," to which you replied: "I am willing and ready to admit that there was nothing to it, and we only used it to make votes against you folks, but it worked splendidly just the same"?"

Mr. Henderson objected to the form of the question. The Committee overruled the objection, and allowed the question to be answered.

A. I have a recollection that she used words substantially as attributed to her in that remark, but the answer given by her does not represent correctly my answer to her insinuations.

Q. Now, you may state to the Committee just what you did say in answer to her remark as before stated. A. I am unable at this time to repeat the exact words used by me in reply to that remark. The substance of my reply in discussing that matter of the expose and her remark to the effect that we knew all the time there was nothing in it, was: that people had differed, and would continue to differ upon that subject; that I did not propose to enter into a discussion of the merits of the Vidette organization or the expose; that there was not as much in it as some people believed, and probably there was more in it than some people would be willing to acknowledge. I may state in this connection as a reason why I did not discuss that matter in detail with Mrs. Lease, and the same reason will hold good why I did not discuss it in detail with Mr. Snyder, and Mr. Branden, and others, that my opinion in regard to the merits of the expose had not changed; that it was reflected in the expose itself; that as an organization, I believed it revolutionary, anarchistic and treasonable, but that I believed there were many people in that organization induced to join it from one motive and another, who did not entertain sentiments of treason against the government of the United States. I was aware a number of my friends were in the organization and a part of it. I believed Mrs. Lease either to have been a member of the organization, or closely in sympathy with its members. I understood Mr. Snyder, Mr. Branden, and others to have been members of that organization; I had too much respect for my associations with these people, too much respect for them as neighbors and friends, to personally charge them knowingly and willingly with being anarchists, or in being in sympathy with treason against the government of the United States; and I did not care to express my sentiments upon that subject, directly, to these people.

Mr. Henderson asked the Committee to expunge from the record all that the witness had just said explanatory of that which he did not say to Mrs. Lease, but all parts of the answer which relate or explain that which he did say to Mrs. Lease to remain in the record.

The Committee decided that the answer should be allowed to remain in the record.

Q. During the conversation, was C. A. Henrie's name mentioned? A. Yes, sir; I think it was, a number of times.

Q. Was there anything said in that conversation about Mrs. Lease sending you a book which purported to be a history of the life of A. R. Parsons? A. Yes, sir.

Q. Did she ever send you a copy of that book? A. I do not know; I never received such a book.

Q. In the conversation with Mrs. Lease, at Clay Center, did Mrs. Lease say to you, referring to Henrie, these words: "What is the general character of this man Henrie? What kind of a reputation does he bear?" to which you replied, "Of course he is a man we would not trust at all—utterly unreliable"? A. I do not recollect of Mrs. Lease asking me any such question; I am certain she did not wait for any information in regard to the character of Mr. Henrie, but stated her belief in regard to his character, in advance. I am also certain I made no such remark as attributed to me in the words just used.

Q. In the conversation between you and Mrs. Lease, did she say, referring to

Henrie, "He is a sneak as well," to which you replied, "Oh, yes"? A. She may have made the remark; I certainly did not make the reply.

Q. Did she say to you: "You would not trust him with a secret, would you?" then you laughed and said, "We would not trust him with anything"? A. She may have asked that question, but I certainly did not give that answer.

Q. Did she, during that conversation, ask you this question: "Where was C. A. Henrie during the time of the Coffeyville explosion?" to which you replied, "We do not any of us know; they do not know down to the house; even his wife does not know"? A. I have no recollection of her asking me the question, and I am absolutely and positively certain that I made no such answer or statement.

Q. Then, did Mrs. Lease say to you, "Well, I believe that this man Henrie knows something about this Coffeyville dynamite explosion, and I think you know a good deal about it, too, Mr. Hutchins"? A. I rather think she did, or words to that effect.

Q. Did you look sober then? A. I don't think I turned pale.

Q. Then did you say to Mrs. Lease, in response to what she had said, as indicated in the above question, "You don't believe that I know anything about it, do you, Mrs. Lease?" A. I think I propounded some such question. I rather think, though, that I put it in a little different form, and asked if she thought I had anything to do with the explosion.

Q. Did she in that conversation use these words: "I most certainly think that you, Booth and Greer were the chief conspirators in that affair, and that you used this man Poorman as your tool;" to which you replied, "You are mistaken about that; it was not Poorman at all, it was C. A. Henrie. You see the way it was, Poorman came up to headquarters, and Henrie met him in the hall and scared the poor devil almost to death; Henrie came to me and said there was no use talking, the fellow was scared abjectly; yes, he was scared so badly he begged for money to get out of the State, and we got him out of the State"? A. The conversation as a whole is untrue; I will not pretend to say that none of the words used by Mrs. Lease in that were not used by her, or that none of the words used by me were not used by me.

Q. After the statement in regard to you and Booth and Greer being instigators in that affair, or use these words, "You are mistaken about that; it was not Poorman at all; it was C. A. Henrie"? A. I did not.

Q. During that conversation, did you say to her at that time it was photographic chemicals used for the purpose of photography that exploded? A. No, sir.

Q. Was there anything on that subject? A. Yes, sir.

Q. What was it? A. My best recollection is that I said to her, that I did not believe any political party had anything to do with the explosion; that I knew absolutely for myself and the republican committee that we were innocent, and I believed the union labor party, as a party, and the Vincents, as individuals, were just as innocent; that, leaving out the motive that any political party might have for the explosion, I could see no motive for any other person to bring about such an affair; and that my theory had always been, or had been since I had investigated it, that it was an accidental explosion.

Q. Was gun-cotton talked about? A. I think it was.

Q. Did Mrs. Lease, in that conversation, at any time say, "While I had always supposed that this man Poorman was the guilty party, that the anarchist and would-be murderer is in the employ of Governor Humphrey, at your solicitation," to which you said, "You don't for a moment think I am murderer"? A. Probably something similar to that was said; I do not remember the remarks in those words.

Q. But was there something of that nature talked about? A. Yes, sir; something of that nature, of which that is probably the substance.

Q. Did you at any time confess to Mrs. Lease that you had taken part in that dynamite explosion? A. No, sir, I did not.

Q. Did you at any time say anything that could possibly be tortured into an admission of that kind? A. I did not; I combatted the idea in that conversation.

Q. You were present at the meeting at Clay Center after the election at which Mrs. Lease spoke, were you? A. I was there a part of the time, and heard part of her speech.

Q. In that speech did she charge you with being connected and one of the guilty parties in that Coffeyville explosion? A. She did.

Q. Did she call upon the audience to witness what she said? A. I believe she did.

Q. Did she say anything about that they could arrest her and put her in prison for using such language if it was false—that they did not dare to prosecute? A. I think she did.

Q. You may state to the Committee if you took any steps at that time to ascertain whether a prosecution could be maintained against her for using that language? A. I did.

Q. What steps did you take? A. I consulted several attorneys, among them F. B. Dawes, of Clay Center.

Q. You didn't begin any prosecution? A. No, sir.

Q. Why not? A. Because I had the unanimous opinion of all the lawyers with whom I conversed upon this subject that such an action could not be maintained. That is the action which she had dared her enemies to bring, a criminal prosecution for criminal libel.

Q. After the campaign was over, that is, the campaign of 1888, I would ask you if you interceded for or recommended Mr. C. A. Henrie to the governor, Mr. Betton, or any other person, as a fit and proper person to occupy the position as clerk in the labor bureau? A. I did.

Q. To whom did you talk upon that subject first? A. I talked on the subject of his having a place in the bureau first, I think, with Mr. Cougher.

Q. Now, of the officers, either elective or appointive, to whom did you talk first? A. I think I talked with Governor Humphrey first; afterwards with Mr. Betton.

Q. State the substance of the conversation with Governor Humphrey on that subject, or the conversation itself, if you can. A. I had several conversations with Governor Humphrey upon the general subject. The conversations generally related to my endeavors to secure the appointment as labor commissioner for Mr. J. G. Cougher. I was desirous of this for two reasons—one of which was, I thought Mr. Cougher's political services entitled him to have a place in preference to Mr. Betton; the other, for the reason that if he secured the place as commissioner, he would make Mr. Henrie assistant commissioner, or chief clerk, in the bureau.

Q. What did the governor say? A. Governor Humphrey acknowledged the services and knew of the work in the campaign by Mr. Cougher, and he would be glad to further their interests, if he could; but would make no definite promises in the matter, and simply agreed to take it under consideration.

Q. Did you see him again about it? A. I saw him several times, with the same results. I do not mean every day, but perhaps two or three times during the winter. I was present at Topeka during the session of the legislature, and as opportunity offered without intruding upon him, I talked with him about the matter.

Q. Did Governor Humphrey, in any conversation you had with him, inform you as to whom he intended to appoint or had appointed? A. He did not tell me whom he intended to appoint until he had sent the name of Mr. Betton to the senate; when

I called to talk with him a short time afterwards he informed me of the fact that the name had already been sent in.

Q. The name of Mr. Betton? A. Yes, sir.

Q. After you were informed that Mr. Betton's name had been sent in as commissioner of the labor bureau, did you take any further steps to secure Mr. Henrie a place? A. I did.

Q. Who did you see about it? A. Mr. Betton.

Q. What was the result of your interview with Mr. Betton? A. The result of it was the appointment of Mr. Henrie.

Q. Did Mr. Betton agree to appoint Mr. Henrie? A. He agreed to give him work in the bureau to the extent of his ability, and considering the appropriation he might have at his command.

Q. When did Mr. Henrie begin working in the labor bureau? A. I think it was in March, 1889, within a very few days from the time of the adjournment of the legislature.

Q. And has been there ever since? A. I think he has.

Q. About when did the *Non-Conformist*, or any other paper, first charge yourself individually, C. A. Henrie and Governor Humphrey with having taken a part in what is known as the Coffeyville explosion? A. My recollection is, from the papers that I saw coming from the *Non-Conformist* office, that the matter was charged upon myself as a member of the republican committee, before the election of 1888, and, at least in a general way, was charged against Governor Humphrey, Captain Booth, Ed. P. Greer and myself early in the spring of 1889, in a series of articles, in which they promised that, at a later date, the name of the party who had deposited the bomb should be given. I think Mr. Henrie was never charged directly with anything from the *Non-Conformist*, from the best of my recollection and information, until about the 1st of June, 1889.

Q. Now, were these charges in which Governor Humphrey and C. A. Henrie were directly charged with that matter—was this before or after Henrie went to work in the Labor Bureau? A. Nearly three months afterward.

Q. Then, Mr. Henrie could not have been appointed because these charges were made, could he? A. No, sir; they had never been made, to my knowledge, up to that time.

Q. After the Coffeyville explosion, did you take any steps toward having a reward offered for the apprehension of the party who left the bomb at Coffeyville? A. Yes, sir; I took steps to have a reward offered, and also to hunt up the party.

Q. What steps did you take to have a reward offered? A. Upon the receipt of a copy of the *Wichita Beacon*, a democratic paper received on the 24th of October, the date either the 21st, 22d or 23d, or at least within a few days previous to that, containing charges that the republicans were responsible for the Coffeyville explosion as a political measure, I sent that paper, with the article marked, and a letter by special messenger to Governor John A. Martin, soliciting him to immediately offer a reward to the full extent of the law for the apprehension of the person or persons who deposited that box with the agent, Mr. Upham, at Coffeyville. Such reward was offered within an hour of the time that I sent the message to Governor Martin.

Q. You were present yesterday and heard Mr. Foulks's testimony concerning an explosion on the Santa Fe railroad? A. I was.

Q. And heard what he said about your calling on him in regard to that matter? A. Yes, sir.

Q. Did you go to see him? A. I met him upon the street and asked him about the matter; I intended to go and see him, but I met him.

Q. When did you first learn of the explosion on the Santa Fe? A. About three or four days after it occurred my attention was called to it.

Q. In what paper? A. Called to the fact by Mr. W. T. Yoe of Independence, who said that if I would get a copy of the *Globe-Democrat* of several days previous, I would find such an account in the telegraphic columns.

Q. Did you find the account? A. I did.

Q. Is that the article [showing witness an article printed in the *Globe-Democrat*]? A. It is.

Q. And on reading that article you then went to see Mr. Foulks? A. Yes, sir.

Counsel offered in evidence the article in the St. Louis *Globe-Democrat* of Tuesday morning, February 10th, 1891. The article was marked Exhibit 43, and was as follows:

[EXHIBIT 43.]

PECULIAR AND SERIOUS EXPLOSION.

Special dispatch to the Globe-Democrat.

ALBUQUERQUE, N. M., February 9.—An explosion occurred at the Santa Fe depot this morning. The passenger train from the east arrived at 5 o'clock, and the baggage for the south was being transferred into the El Paso cars by Richard Gentry and Fred. Hand. Several pieces had been transferred, when Gentry pulled from the top of two large trunks a small steamer trunk. As soon as it struck the floor it exploded with a loud report and terrific force. Baggage was torn and thrown in all directions. Gentry was tossed violently against the top of the car, and his clothing literally blown from his body. Hand was hit in the hand by a piece of splintered wood and blown out of the car, and Baggage-master Miller, who was standing at his desk arranging his papers, was stunned and knocked down. The top of the car was raised several inches. The inside of the car was a complete wreck.

A number thought that safe robbers were at work, and the marshal and his police rushed to the scene. An examination of the wreck revealed the fact that the trunk contained a photographer's outfit, and that the explosion was caused from gun-cotton, which photographers use in preparing tinctypes. Gentry is badly hurt. His limbs, face and head are covered with cuts and bruises, and it is likely he will lose his left eye. Hand and Miller were more stunned than hurt. An effort was made to find the owner of the trunk, but he kept quiet. It was expressed through from Kansas City.

By Mr. Henderson: Q. You now reside in Clay Center? A. Yes, sir.

Q. You have resided there about how long? A. Nearly sixteen months.

Q. Prior to your removal you resided in Kingman? A. That was my home; I had been there very little for a year or two.

Q. While residing in Kingman you became acquainted with Mrs. Lease? A. Yes, sir.

Q. You were the editor of the Kingman *Leader*? A. Yes, sir.

Q. For about how long? A. Nearly three years.

Q. What was the politics of that paper? A. Republican.

Q. What is the political complexion of the paper you are now editing? A. Republican.

Q. You became connected with the republican state central committee in 1888, you say? A. I was a member of the state central committee in 1886, and from that until 1888; and in 1888 was elected secretary of the committee.

Q. You were a member then of the state central committee, in 1886? A. Yes, sir.

Q. In 1888 you became secretary of the state central committee? A. I did.

Q. At what time did you enter upon the duties of that position? A. I was elected secretary of the committee, I think, about the 9th of August, 1888.

Q. Do you remember when the republican state convention was held that year? A. Yes, sir.

Q. What day of the month was it? A. July 24th and 25th.

Q. Were you not selected on the following Monday as the secretary of that committee? A. No, sir.

Q. Was not the committee organized on the following Monday? A. The committee was temporarily organized a day or two after the convention, but it was a

temporary organization. The permanent organization was not made until the fore part of August, somewhere about the 9th—it might have been earlier.

Q. The convention was held upon Wednesday and Thursday of the week, was it not? A. Yes, sir.

Q. And were you not selected as secretary of that committee on the following Monday? A. I think not.

Q. Do you remember where you were the following Monday? A. I do not.

Q. Do you remember of being at the Windsor Hotel upon that day? A. I do not.

Q. Do you remember who was proprietor of the hotel during that time? A. I remember the gentleman, but I forget his name.

Q. Was it not Mr. Smith? A. I think not.

Q. Are you right sure of that? A. My recollection is that Mr. Smith bought the furniture and absolute control of the hotel a week or two later.

Q. Well, didn't he assume control of the hotel before the republican state convention? A. That is not my recollection of it, but it is possible it is so.

Q. Do you remember of having any conversation with him in the Windsor Hotel the following Monday, meaning the Monday following the state convention? A. I do not; I might have had. I may have had it and may have been there, but I have nothing to call such circumstances to my mind at present.

Q. Was not that the day upon which you were selected as secretary of the republican state central committee? A. I have testified upon that date.

Q. I am trying to refresh your memory. A. I think a temporary organization was effected, and an adjournment taken for at least two weeks.

Q. Who was chosen temporary secretary? A. I think it was Mr. Tell W. Walton, of Lincoln, Kansas.

Q. Were you present at that time? A. Yes, sir; I had a proxy, and was sitting as a member of the committee.

Q. Do you remember where the committee met at the time of its temporary organization? A. I think in the club-room of the Copeland Hotel; I am positive of it.

Q. You were positive that you were not selected as secretary of the republican state committee until about the 9th of August following the state convention? A. My recollection is, it was a week or two after, and I think at least two weeks after the republican convention, at an adjourned meeting of the committee; adjourned to meet and organize, for that express purpose.

Q. At the time you had been selected secretary of the republican state central committee, had there been any rooms selected for headquarters? A. I think not.

Q. Were there more than two rooms secured for the state central committee at the Windsor Hotel? A. Yes, sir.

Q. How many? A. There were only two rooms specially designated for office use, or as headquarters of the state central committee; but the same contract embodied the use of three additional rooms as sleeping-rooms for Mr. Booth, Mr. Gebhardt, the assistant secretary, and myself.

Q. What room did you occupy as a sleeping-room? A. A room on the third floor of the hotel.

Q. What was the number? A. I do not recollect.

Q. Do you remember where room No. 6 was? A. I do not remember positively where room No. 6 was.

Q. I will ask you if you know where it was with reference to rooms 1 and 2? A. I think on the same floor, and not far away. We had two rooms in use on the same floor, and one might have been No. 6.

Q. Did you not have room No. 6 from October 7th until October 17th, 1888? A.

I do not know which room No. 6 is. The only rooms we occupied, I think, were occupied continuously from the 1st of September until after the election, in November.

Q. So you are not able to state whether you had room No. 6 or not? A. If I had a plat of the hotel, and could determine where No. 6 was located, I could answer definitely.

Q. Do you know whether you had No. 7, or not? A. I do not, for the same reason.

Q. And you are not able to state the number of the room you used for a sleeping-room? A. I am unable to state the number of that room.

Q. Was it on the second or third floor? A. On the third floor of the building.

Q. No. 51, was it not, Bion? A. I rather think that is the number; though to be positive, I cannot state.

Q. How many persons were employed at headquarters as clerks, during that campaign?—you mentioned three this morning. A. Employed especially in the capacity of clerks, I think I named all that were so employed.

Q. You mentioned Col. Prouty and Mr. Safford; were there any others? A. W. W. Admire.

Q. Anyone else? A. One or two stenographers that were employed at different times, the names of which I cannot recall.

Q. Where was Mr. Gebhardt? A. He was at work as an officer of the committee.

Q. Mr. Stafford remained with the committee how long? A. I do not know; he only came to do stenographic work at certain hours, and attended to his other business outside.

Q. How long did Mr. Admire remain with the committee? A. He took stenographic work at different times, during the campaign, when the governor was out of town, and he could be spared from the office; he came and took our work, and when the governor was in, I had to get other people, and during the latter part of the campaign, I think I had some one there all the time.

Q. What position does Mr. Admire now occupy? A. Stenographer for the governor.

Q. And has been since the election of Governor Humphrey? A. Yes, sir; and during the entire administration of Martin.

Q. When did Mr. Henrie first commence work for the committee? A. Well, it would be difficult to state.

Q. About when? A. It would be very difficult to answer that question, as I would not denominate that Mr. Henrie commenced work for the committee at all.

Q. Did you not state that Mr. Henrie was, or had been, employed by the state central committee? A. Yes, sir.

Q. And if he was employed, he certainly did work for them? A. Yes, sir.

Q. Now, when did that work commence? A. He performed some services; you may call it work—I would not denominate it in that way.

Q. When did he begin his services, then? A. The first services I am not able to state.

Q. About when was it? A. I think Mr. Henrie came to me to consult in regard to the campaign—certain features of it—between the 15th of August, at which time I opened headquarters, and the 1st of September, at which time Mr. Booth came and assumed partial control of the campaign. These services, if you desire to know, I think were in reference to his paper, the *Topeka Post*, that was running, and had been running, and he wanted to continue the publication of it in the interest of securing republican votes.

Q. Securing what kind of votes? A. Votes for the republican ticket.

• Q. What were the politics of the paper he was then editing? A. I do not know.

Q. Didn't he tell you in either of the conversations you had with him? A. He said he was anxious to do anything he could to secure the defeat of the democrats and union-laborites.

Q. Didn't he tell you he was anxious to do anything for which he would be paid? A. No, sir; he didn't put it in that way.

Q. But didn't you offer to pay him if he would run his paper in the interest of the republican party? A. He never intimated that he would run it any other way.

Q. Did you not, as a matter of fact, compensate him for the editorials published in his paper from the 15th day of August up to the time of its collapse? A. No, sir.

Q. Did you pay him anything at all for such services? A. I do not think any request was ever made for money for the editorials he should write.

Q. Did you pay him anything at all during that period of time? A. I am not able to say with definiteness whether we did or not, for the reason that I did not know as a matter of fact whether he got out an issue of the paper, published by himself previous to the 15th of August, after that, though he may have done so. The conversation that I remember in regard to it was, his consulting me as to whether it would be a good investment for the republican committee to pay off the debts of the paper, and run it as a republican campaign paper during the campaign of 1888; and if any demand was made at all, it was to help him to get out a number or two of that paper; but no arrangement was entered into by which its debts were lifted and its publication continued.

Q. But there was some money paid for that purpose? A. Not that I remember of.

Q. You say there was not any money paid? A. I do not. I do not recollect of any money being paid.

Q. Do you remember when he went to New York? A. I remember about the time he left for New York.

Q. About what time was it? A. Sometime after the 1st of September.

Q. How much money did the republican state central committee furnish him for that trip? A. I do not know.

Q. Have you no recollection at all upon that subject? A. I have not.

Q. Do you remember of having any conversation with him about making that trip? A. I do.

Q. When was that, now, with reference to the date of Exhibit No. 40? A. What is that date?

Q. August 15th. A. It was afterward.

Q. How long afterwards? A. I do not know.

Q. About how long? A. I think that the conversation that I had with him did not take place much before the 1st of September, possibly afterward.

Q. How long was it after you first saw that letter? [Referring to Exhibit 40.] A. I never saw this letter, Exhibit 40, until a day or two ago.

Q. Were the contents thereof mentioned in the conversation you had with Mr. Henrie? A. I do not know that he said he had received a letter, but the object of the visit to New York was talked over, the proposed visit.

Q. Now I want you to state to this Committee, as near as you can recollect, the conversation that occurred between you and Mr. Henrie upon the subject of his visit to New York and the purposes for which he was to go. A. My recollection is he said there was to be a meeting of the national committee of the united labor party; that he was a member of that committee; that the committee was to meet sometime about the middle of September, and he was going to attend it; that it was a very important meeting, from the fact that the union labor party was trying to get the ticket nominated and supported for president and vice president by the united labor party, off the track; that they were using every exertion and influence

upon Mr. Wakefield, the nominee for vice-president on the united labor ticket, to get him to resign his place on that ticket. As I understood it from him, the union labor element or party of the country was working or playing into the hands of the democrats, and were making nominations and putting up state, county and electoral tickets only where it would advance the interests of the democratic party; that they were leaving the clear field for the democrats in states that were close or with democratic proclivities, such as New York, Connecticut and New Jersey; that the united labor party had put tickets in the field in those places, and would thereby hold votes from the democratic party, and in that way the republicans would be indirectly assisted; that to take Mr. Wakefield off from the ticket, and abandon the united labor ticket, would likely enough throw enough votes in the election of 1888 to the democratic party to give them the electoral vote of New York and probably Connecticut and New Jersey; that it was exceedingly important that Mr. Wakefield be kept on the track; and that he could assist by going to New York and meeting with the committee in keeping Mr. Wakefield from resigning his place. I agreed with him and told him to talk it over with Mr. Booth, and anything further that was done in the matter was between him and Mr. Booth, and I knew nothing about it. I knew that he departed shortly afterward for New York.

Q. Don't you know, Mr. Hutchins, how much money was given him to go? A. I do not know that a dollar was given him. He did not ask me to procure or to give to him, or assist him to a single dollar, or assist him in a financial way in attending that meeting.

Q. Did you not secure for him the transportation from Topeka to New York and return? A. I did not.

Q. You are certain of that fact? A. I am certain.

Q. Did you ever hear any conversation between he and Mr. Booth, after the conversation which you have related that took place between yourself and Mr. Henrie? A. I heard no such conversation; I believe conversations took place, but I did not hear them; Mr. Booth's conversations were in one room and mine in another.

Q. Did you call Mr. Booth's attention to the very important conversation you had with Mr. Henrie? A. I did.

Q. Up to that time, meaning the time that you had this conversation with Mr. Henrie, how long had he been in the employ of the republican state central committee? A. I do not know that he had been in the employ or had received any compensation up to that time or for those services.

Q. Do you say to this Committee that he had not been employed by the state central committee prior to the time of the conversation you have just related? A. No, sir; but I say I do not know of anything that he did for us directly.

Q. Did you have any communication with him when in New York? A. No, sir.

Q. Did you receive any telegram from him? A. No, sir.

Q. Did you receive any letters? A. No, sir.

Q. How long was he gone to New York? A. I do not know.

Q. About how long? A. My judgment is, somewhere from two to three weeks; I have no way of fixing the date of his departure or return.

Q. Do you remember about when he did return? A. I think it was in the month of September.

Q. Do you remember about what time in the month? A. No, sir; I think the latter part of the month.

Q. Do you remember the first conversation you had with him after his return from New York? A. No, sir.

Q. Do you remember the topic of conversation? A. No, sir.

Q. Do you remember when the republican state central committee gave him any

work to do, or what requested his services after his return from New York? A. My recollection is we consulted him a number of times on different topics; he may have made a short trip or two in the interest of the committee; beyond that I have no recollection.

Q. Do you remember where the committee sent him? A. No, sir.

Q. Did you send him to Lawrence? A. I do not know; we may have done so.

Q. Did you send him to Kansas City, Kansas? A. My impression is we did, although I would not be positive about it.

Q. Do you remember when you sent him to Kansas City, Kansas? A. I do not.

Q. Did you send him to Hutchinson? A. I have no recollection of it.

Q. Did you send him to Newton? A. I have no recollection of it.

Q. Did you send him to Oswego? A. I have no recollection of it.

Q. Did you send him to Wichita? A. I do not remember.

Q. Don't you remember, Mr. Hutchins, that he went to Wichita upon an occasion when you went to Kingman, and you and he went on the same train as far as Wichita? A. No, I do not remember that.

Q. You have no recollection of that? A. No, sir.

Q. Do you remember of going to Kingman about the 28th day of September, 1888? A. I went to Kingman once during the campaign. My impression is that it was a later date than that.

Q. Do you remember of going to Kingman on the 28th day of September, 1888? A. I do not.

Q. Do you say to this Committee that you did not arrive in Kingman on the 28th day of September, 1888? A. I did not.

Q. Are you positive about that? A. I am.

Q. If you state positively that you were not here on that day, are you able to state where you were? Witness refreshes his memory by looking over a newspaper A. I was in Topeka.

Q. Is there anything in the *Capital* that indicates where you were on that date?

A. If you want to know how I was here I will answer it.

Q. You answer my question. A. Yes, sir.

Q. Is there an article in the paper of that date that refreshes your recollection? A. No, sir; the paper of that date is not in the volume I looked at.

Q. Then why do you say that by reference to that paper, your memory has been refreshed? A. I was in Topeka constantly from the 15th day of September until the election day, with the exception of one trip to Kingman, and it was not made on the 28th day of September.

Q. What day was it made? A. I reached Kingman on the morning of the 13th day of September.

Q. Was it morning, or evening? A. My recollection is, that it was in the afternoon.

Q. Do you remember what time you left Topeka? A. I think I left Topeka on the evening previous, about 12 o'clock.

Q. Did you stop on your way home? A. No, sir.

Q. You left here in the evening at 3 o'clock, and it took you until the following evening to arrive in Kingman? A. That is my recollection; I did not stop voluntarily.

Q. Was you not in Wichita on that day? A. No, sir.

Q. And were you not there with C. A. Henrie? A. No, sir.

Q. Are you certain about that? A. Yes, sir.

Q. Were you in Wichita with C. A. Henrie during the campaign of 1888? A. I was never in Wichita with Henrie, and I never saw him there.

Q. You are certain of that? A. I am certain of that. To my knowledge, he was never there at the same time I was.

Q. Was Mr. Henrie at work in the office of the state central committee at the time you went to see him? A. I think he was.

Q. How long had he been performing services for the committee prior to that date? A. The particular work he was engaged in at that time, I think, was begun about the day before.

Q. That would be on the 12th of September? A. Yes, sir.

Q. What was it? A. He was in consultation with Mr. E. P. Greer and myself, outlining and planning the material for the second expose of the Videttes.

Q. How long had he been at work in the office prior to that time? A. He had not been in the office much on that subject; he had not been regularly employed in the office.

Q. Had he not been rendering services, prior to the time he met Mr. Greer there, for the state central committee? A. Yes, sir.

Q. Now, then, I wish you would state to this Committee how long he had been so employed. A. He had been retained to help work up this matter from and after about the 5th of October, I think.

Q. Had he been consulted upon the question of the Vidette expose prior to the 5th of October? A. No, sir.

Q. Now, Mr. Hutchins, have you not been mistaken about that whole thing? A. What?

Q. Did Mr. Henrie meet in your office or your headquarters on the 12th day of September, 1888, to prepare the material for the expose that you have mentioned? A. That is my recollection of it.

Q. What is your recollection, that it was on the 12th day of September, 1888? A. Did I say September?

Q. Did you not say that? A. If I did, I was mistaken in that.

Q. I will ask you again, when did you go to Kingman? A. October 18th.

Q. Then it was October when you went down there? A. Yes, sir.

Q. Now don't you know it was September? A. No, sir; it was on October 18th.

Q. Are you certain of that? A. I am, absolutely.

Q. Are you just as certain as when you said it was September? A. I meant October.

Q. Is it not a fact that, in other words, you got a little rattled? A. No, sir; I am not rattled at all. If I said September at all I did not mean it.

Q. I will ask you again, when did Henrie begin his services for the committee? A. As I said before, about the 5th of October, in connection with the expose.

Q. When did Mr. Henrie begin his services for the committee? A. I have already explained all I know about that.

Q. Was he not employed in August? A. I have said I could not give you any definite information on that.

Q. Was he not in the employ of the committee during the month of September? A. You may say no and yes.

Q. I do not intend to say; I want you to say. A. I have already stated that he probably did some services; I know he was consulted in regard to campaign matters; he may have done some services for which he was remunerated, aside from the trip to New York.

Q. Then you do not wish this record to show that he commended his services for the committee on the 5th day of October? A. I specified when I answered the question what I meant by that.

Q. Had you any conversation with him, meaning Mr. Henrie, with reference to

the expose of the Videttes prior to the publication of Mr. Greer's paper of date of October 4th? A. I think I had.

Q. When was that? A. I do not recall.

Q. About when, Mr. Hutchins? A. Sometime during that campaign; I do not know when. I have no idea of the date.

Q. But you think you had a conversation with him? A. Mr. Henrie said afterwards that he had, in a conversation quite a long time previous, hinted something about this organization. I did not at the time apprehend what he was driving at, or question him or think anything about it. It was simply referred to by him afterward, and I had no recollection of the time, place or what was said. That is the reason that I do not want to say absolutely that I had a conversation with him prior to the 4th of October.

Q. Then you are unable to say that you did have a conversation prior to that time, with reference to this subject-matter? A. I do not recall any such conversation.

Q. When did you have your next conversation with him? A. I think it was during the 5th day of October, sometime during the day.

Q. That you remember, now, do you? A. Yes, sir.

Q. Please state that conversation to the Committee. A. I do not mean by that that I remember the whole conversation.

Q. Give us the substance of it and we will be satisfied. A. My recollection is that Mr. Henrie came into the room while Mr. Poorman was talking, and heard some remark or something that attracted his attention in connection with the conversation, without hearing all the conversation, but the principal part of it; and that after Mr. Poorman went out, I told or he asked me who he was and where he came from, and I told him all I knew.

Q. Tell us what you said. I want to know what you said. A. I think I said he was a fellow that had come from Cowley county, and that he had been getting some secret work down there for Ed. Greer in regard to some organization that was supposed to be a pretty good find, and of considerable political importance; and he inquired more about it and I told him.

Q. What did he say? A. I cannot tell you what he said.

Q. Are you able to give the substance? A. I said he inquired further in regard to it, and I think I repeated to him most all that Mr. Poorman had told me; and he said he knew all about the business; he could have told me all about it long ago if he had wanted to.

Q. Now, what did Mr. Poorman tell you? A. Mr. Poorman came into the office; and, I may state in this connection that he was somewhat under the influence of liquor and used very little discretion, and a gentleman by the name of P. P. Campbell was sitting there at the time, and listened to the conversation. Poorman began, I believe, without introducing himself, by telling me he had come up there from Cowley county; and about a great big find down there; that it was making a great commotion; that he had been off somewhere and procured some secret work, some pamphlet or book; he was not able to state definitely what it was. It was something, as he understood it, of vast importance; that it was a tremendous political document; that it was in the possession of Mr. Greer; that Mr. Greer had written to Mr. Booth about him; that Mr. Greer agreed not to publish it until he was out of the country, and that he had got away from there as soon after securing and delivering that book, as it was convenient for him to leave; in other words, he made extra exertions to get out of Winfield; that he wanted to give away the information; in fact, he had promised to stop and tell us about it; that he wanted to get out of the state about as soon as he could; wanted to get back where he knew he would be

among friends, somewhere in Ohio, I believe he told me. Said that the business that he had got or the book that he had got, was a complete expose of some organization. I do not think he was able to give the name of the organization at that time, at least I do not remember that he did—he may possibly; and that they were going to use it to bust the union labor party down there at Winfield, and he thought it would be a pretty good thing for the state committee to get hold of.

Q. Is that all? A. Well, as soon as I got any impression that there was anything to the man's story, and that it was anything important, I shut him off, and told him he had better see Mr. Booth in private and tell him what he had to say further; and suggested that if he would come back when Mr. Booth was present in his room he would have an opportunity to talk with him. I think that was the substance.

Q. Just as soon as it impressed itself upon your mind that there was something important in what he was saying you then shut him off and told him to come back when Mr. Booth was present? A. Yes, sir.

Q. Now what time in the day was it you had the conversation with Mr. Poorman? A. In the forenoon.

Q. On the 5th? A. Yes, sir.

Q. You knew he was drunk at the time? A. I did not say that he was drunk.

Q. Well, under the influence of liquor? A. Yes, sir; to some extent.

Q. Partially so, was he not, Mr. Hutchins, and have you not repeatedly said since that time that he was drunk? A. No, I think that is not true.

Q. What have you said about it if it is not true? A. I do not recollect of detailing the circumstances and saying anything about his being drunk; I might have done so. I took no pains to disguise it.

Q. Have you not repeatedly said that at the first time Mr. Poorman talked to you he was drunk, without stating that which he said? A. I do not recollect of having done so, but I would not swear I had not.

Q. That was the same day that you had your first talk with C. A. Henrie about this important matter? A. I think so.

Q. And you repeated to Mr. Henrie that which an intoxicated man had told you? A. I did not mean that the intoxicated man was so intoxicated that he did not know what he was talking about; for, after a while, he made himself understood enough so that I got something of the idea he was trying to convey of the existence of this organization.

Q. Did you not say a few moments ago, that it was a very difficult matter to obtain anything intelligent from him and you only did so by frequent and repeated cross-examination? A. I think that may be true.

Q. Did he leave that night? A. I think not.

Q. When did he leave the city of Topeka? A. I think he left about the next afternoon.

Q. When was it Mr. Booth gave him the \$10 with reference to the time he was under the influence of liquor? A. I do not know as there was any time while he was in Topeka that he was not under the influence of liquor.

Q. He was under the influence of liquor all the time he was in Topeka? A. I would not want to swear to that, because I did not talk with him or have very much to do with him after that time. His conversation after that time was confined almost entirely to Mr. Booth, as I suggested to him that he should confine his talk strictly to Mr. Booth.

Q. Is it not a fact that you stayed up with him the night of the 5th? A. No, sir.

Q. For fear he would tell some democrat? A. No, sir.

Q. Didn't he stay at the Windsor Hotel? A. My impression is that he did not; I do not know that he did.

Q. Is it not a fact, and don't you know that he stayed at the Windsor Hotel, and that you, as the secretary of the republican state central committee, paid his hotel bill the next day? A. No, sir.

Q. That is not a fact? A. I did not say it was not a fact, but I did not know it to be a fact.

Q. In other words, you do not remember it? A. I do not; I remember positively that I did not stay up with him, and that he spent the evening that he spent at headquarters with Mr. Booth, and, I believe, had a long talk with him.

Q. What time in the evening did he have this conversation with Mr. Booth? A. I do not know.

Q. You were in the rooms, were you not? A. No, sir; I was not in the room that Mr. Booth occupied; he had his desk in one room and I had my desk in another room, and the door was almost always closed between the two.

Q. You knew when Mr. Poorman went into Mr. Booth's room — isn't that a fact? A. I think he came back to the hotel after Mr. Booth returned from the fair grounds, where a soldiers' reunion was in progress, late in the afternoon or early in the evening, and that I took Mr. Poorman to Mr. Booth, introduced him, and indicated his business.

Q. Now, how long did they remain together? A. I may have known at the time, but I have no recollection of it now.

Q. Have you any recollection as to when he left headquarters that night. A. No, sir; I have not.

Q. Do you remember whether you was in your room or at your desk at the time he did leave? A. If he left before 12 o'clock, I presume I was at my desk; I was always there every night until 12 o'clock.

Q. Have you any distinct recollection of him leaving the hotel that night? A. I have not.

Q. Then he may have slept in Booth's room that night? A. He may have done so.

Q. He had a lounge in there? A. Yes, sir.

Q. Now, upon that occasion — meaning the 5th day of October — did you enter into any definite contract with Mr. Henrie as to what he should do? A. No, sir.

Q. Was there anything said upon that day as to what his duties should be in the future? A. No, I do not recall that any definite contract was entered into. I think it was on that day we agreed with Mr. Henrie that we would have him help us in the matter of hunting down the business and getting the information in shape for further action.

Q. Was it the intention of the state central committee at that time to publish another expose of the National Order of Videttes? A. It was undetermined.

Q. Then if it was undetermined at that time, you certainly had no understanding with Mr. Henrie as to what he should do in the future. A. That does not follow at all.

Q. Did you have any such understanding? A. I think we had an understanding with Mr. Henrie upon that day or the day succeeding.

Q. I am talking about that day; bear that in mind. A. That he would help us in whatever way we thought best, from further consultation, in connection with that matter.

Q. Was his compensation agreed upon at that time? A. I have no recollection of it. I would say, however, that his compensation, whatever it might have been, for any work and all work he might have done, did not come within my knowledge; it was arranged entirely by Mr. Booth, as most of these matters were, without consulting me.

Q. Well, if all these arrangements were made with Mr. Booth, why was it you said

this forenoon that Mr. Henrie was at that time, October 5th, employed to secure votes from labor organizations, and the means to secure such votes? A. I do not remember of having made a statement in those words.

Q. Did you make any statement in substance like that which I have just repeated? A. I think I made a statement that during the latter part of September, up until the 5th of October, when we had this other special work to do — if you mean that I did on that day make such arrangements as that, my answer is, no.

Q. Is it not a fact that your answer to that question is no, for the reason that you had already stated, that what arrangements were made with Mr. Henrie were made by Mr. Booth? A. No, sir.

Q. Did you not, during the fall of 1888, yourself make an arrangement with Mr. Henrie, by which he was employed to secure votes from labor organizations, and to devise means to be used for that purpose? A. I think I did.

Q. When was that; when did you make that arrangement? A. I think that the arrangement was made early in the campaign, and was an indefinite sort of arrangement by which we were to have his advice, and when we needed it, his help in particular cases; and we were to consult with him as frequently as we chose. This was probably in August or September.

Q. I will try you once more. Was that arrangement entered into between yourself and Mr. Henrie before he went to the city of New York? A. I think it was.

Q. How long before?

Mr. Curtis objected to the question, as it had been answered several times already.

Mr. Carey said he thought the objection was well taken.

Thereupon counsel stated his purpose in asking the question; and the objection was overruled.

A. I have said no to that question several times.

Q. Well, at the time you made the arrangement with Mr. Henrie did you know he was antagonizing the union labor party? A. I had his assurance of it.

Q. And after he had assured you of that fact you then secured him or employed him to secure votes from labor organizations? A. Yes, sir.

Q. Now I will ask you to state how it was he came to tell you that he was antagonizing the union labor party? A. I do not know.

Q. Do you remember what he said, that convinced you that such was the fact? A. I do not recollect the conversation.

Q. But you was convinced at the time that he was antagonizing the union labor party? A. Yes, sir.

Q. He agreed to do that, and agreed to secure votes from labor organizations, and use such means as were necessary to be used, for and in consideration of some compensation, did he? A. He agreed to use any exertions he could to procure republican votes, without any definite understanding with him as to compensation.

Q. You mean he was to procure votes for the republican ticket? A. Yes, sir.

Q. Are you certain that in neither of the conversations you had with him that the amount of compensation was mentioned? A. No, sir; I am not certain of anything of the kind.

Q. Have you now any recollection of having a conversation with him in which his compensation was mentioned? A. No, sir.

Q. Do you know from any source what compensation he did receive? A. I do not.

Q. Did you ever pay him any money? A. I did not.

Q. Who handled the funds of the committee? A. Mr. Booth.

Q. Was it necessary that the checks or vouchers should be signed or countersigned by yourself? A. Yes, sir; or assistant secretary.

Q. You were in Topeka from the 15th day of September until the election? A. From the 15th day of August until the election.

Q. You were present at the headquarters during all the time? A. With the exception of three days in October, when I went to Kingman.

Q. Now, what three days were they? A. Saturday, Sunday and Monday, October 13th, 14th and 15th.

Q. During the time you were at headquarters, do you remember now, of signing any check for the purpose of paying Mr. Henrie for services rendered? A. No, sir.

Q. Is it not a fact that you know, or at that time, had an understanding that he was to be compensated for his services? A. I think he said he could not spend his time and do this work for nothing. I said we would not expect anything of that kind.

Q. In that conversation, was there anything said about what sum or sums he would require? A. No, sir; I told him he would have to consult Mr. Booth in reference to that.

Q. Did you and Mr. Booth ever have any talk about it? A. No, sir.

Q. But you do know, that he was compensated for everything he did for the state central committee? A. I think he was compensated at different times, how many different times I do not know.

Q. But when he did leave the services of the committee, the committee was not under any obligations whatever to him for his services, financially, I mean? A. Why, I think not; I think he left before the money ran out.

Q. And you think he got his share of it? A. I think if he didn't it was his own fault.

Q. When did you see Mr. Henrie last before you left on the 13th day of October to go home? A. I saw him in the evening; I left at midnight, on the 12th. I was to take the 12 o'clock train at midnight, but that train was late about three hours, and that was the reason I did not go by the way of Wichita and get home Saturday morning.

Q. What was Mr. Henrie doing on the 12th? A. Mr. Henrie was in the room occupied by me as a sleeping apartment, in consultation with Mr. Greer and a good deal of the day with myself, regarding the proposed expose of the National Order of Videttes.

Q. What was he doing when you returned on the 15th? A. Why, I do not remember what identical piece of work he was doing, but he was still engaged upon that undertaking.

Q. Is it not a fact, Mr. Hutchins, that that entire matter was prepared and complete set in type and proof-sheets read and corrected by the 15th day of October? A. No, sir; as I recollect it that is not a fact.

Committee adjourned to meet the following morning at 9 o'clock.

TOPEKA, Wednesday, April 1, 1891—9 o'clock, A. M.

Committee convened pursuant to adjournment. A quorum present.

MR. HUTCHINS further testified as follows:

Examined by Mr. Henderson: Q. Do you know when the article, meaning the so-called second expose of the Videttes, was complete and set in type? A. Not later than the 18th.

Q. Have you any distinct recollection upon that proposition? A. I have no dis-

inct recollection as to the exact hour when the composition on that matter was complete in the state printing-house; I know about when.

Q. Is it not a fact that you sent proof-sheets of the article to the editor of a prominent republican paper in Jewell county, on the 15th day of October, 1888? A. No, sir, on the 15th day or any other day.

Q. At no time? A. No, sir.

Q. Do you tell this Committee that no such matter was sent to an editor of a republican paper in Jewell county at any time during the month of October, prior to the 18th day of the month? A. I do. No such matter or proof-sheets were sent to such party from the office of the state central committee, or with the knowledge of the state central committee.

Q. Was the substance of such so-called expose sent to any editor in the State of Kansas by the state republican central committee? A. Not until matrices were sent for the publication of the expose.

Q. When were they sent? A. On the 18th day of October.

Q. To whom were they sent? A. A matrix was sent to the *Wichita Eagle*, another to the *Hutchinson News*, another to the *Fort Scott Monitor*, another to the *Topeka Capital*, another to the *Topeka Commonwealth*. I think one to the *Atchison Champion*; possibly one to the *Emporia Republican*. The *Kansas City Journal* was supplied with a matrix through Mr. Stacey, its correspondent in Topeka. The *St. Joseph Herald* was supplied with plates through its correspondent, W. W. Admire.

Q. How about the *Leavenworth Times*? A. I think the *Leavenworth Times* had a matrix.

Q. Didn't you send that to the *Leavenworth Times* on the 16th of the month? A. No, sir.

Q. I will ask you if it is not a fact that you sent to all the papers you have mentioned a matrix on the 16th of the month, with instructions not to publish until a telegram had been received? A. No, sir.

Q. And was it not also understood at that time that the *Courier of Winfield* (E. P. Greer's paper) was to publish the first publication of that so-called expose, and that other papers were to take the same as a telegram from Winfield? And did you make such arrangement yourself? A. It was understood in that way between Mr. Greer, Mr. Booth, and myself. No such arrangement was ever made with the papers named.

Q. I will ask you if you wrote that letter [calling witness's attention to Exhibit 20]? A. Yes, sir; I wrote that letter.

Q. Now, I will ask you if it is not a fact that at the time you wrote this letter, the entire subject-matter of the so-called second expose was fully complete and prepared? A. The subject aforesaid was all in type, and the proof had been received from the state printing office.

Q. And had been approved and corrected? A. I do not know about that.

Q. Do you not say so in this letter? A. The letter will tell for itself.

Q. Does it not so state in this letter? A. It says in the letter the forms are being made up.

Q. And do you not say proofs are out for publication? A. No, sir.

Q. What do you mean by the language therein used, "proofs out for publication"? A. I say, "Will send proofs out for publication Friday morning." I do not say they were out for publication at that time.

Q. In that letter you mean to say you will send these proof-sheets out Friday morning? A. Yes, sir; and not before.

Q. To whom? A. To the newspapers mentioned previously.

Q. Is it not a fact that you sent them out on Thursday? A. No, sir.

Q. Are you sure about that? A. I am, sir.

Q. What day of the month was Friday? A. The 18th day of October, 1888.

Q. And these publications appeared in all the newspapers that you have mentioned on the morning of the 19th, other than that in the *Courier*? A. Yes, sir. I do not want to be misunderstood. These proofs were to be sent out so this publication could be made on Friday morning, the 19th. The proofs were sent out on the 18th—I was thinking it was Friday.

Q. Now when did you send a proof to the *Courier*, to Winfield? A. We sent them at different times, as fast as they were ready—a column or two at a time.

Q. When did you send the last one? A. With the letter dated October 17th.

Q. Do you remember what part of the proof-sheets you sent to Mr. Greer on the 17th of October? A. I presume they were the last of the article.

Q. Was not that proof-sheet prepared for him on the evening of the 16th? A. I think not.

Q. What is your best recollection about it? A. My best recollection is, the proof-sheets last sent to Mr. Greer came to republican headquarters late in the forenoon of the 17th, barely in time to get them into the mail with this letter dated October 17th, 1888.

Q. In this letter you mention a cut, do you not? A. Yes, sir.

Q. That cut has reference to the exhibit marked No. 9? A. Yes, sir.

Q. Do you tell this Committee he received the matter mentioned in your letter of the 17th on the 18th of the month? A. Who?

Q. Mr. Greer. A. Do you refer to the proofs, or the cut?

Q. Both. A. I think he received the proofs on the 17th—the evening of the 17th; they left here on the next train of that day. The cut I think left here on the night train of the same day about midnight.

Q. By express? A. By express, I think; that is my recollection.

Q. Were these matrices of the same size and length, referring to the column? A. I think so.

Q. Have you compared the publication in the *Capital* with that which was published in the *Commonwealth*? A. I saw them both at the time.

Q. Don't you know that they were not—that the columns were not all the same size and length, and the same matter in the *Capital* in column one is not the identical matter in column one of the *Commonwealth*? A. The columns, I think, are all the same width and length. The matter, I am confident, is identical, except the head—the display head—and it was not included in the matrix.

Q. I will ask you to state to the Committee [handing witness Exhibit No. 9] where you got that letter. A. I got that letter in the parlor of the Windsor Hotel, Topeka, Kansas.

Q. Who told you it was in the parlor of the Windsor Hotel? A. I have no recollection of anybody telling me anything about it.

Q. You tell this Committee you have no recollection about that? A. Yes, sir.

Q. Do you tell this Committee that you just accidentally stepped in the parlor and found that letter on the floor? A. I do not know whether I happened accidentally to step into the parlor, or whether I went into the parlor to look after somebody; but I know I went into the parlor on some mission, exactly what, I have forgotten, and that while there I found this letter.

Q. There were no ladies in the parlor at the time, were there? A. I do not remember.

Q. You don't? A. I do not remember of seeing any ladies in the parlor at the time.

Q. Did you go into the parlor for the purpose of meeting or seeing any ladies?
A. I think not.

Q. What did you go in there for? A. I am unable to state.

Q. Didn't Mr. C. A. Henrie tell you to go in there and get that letter? A. No, sir.

Q. You are certain of that, are you? A. I am.

Q. Is the letter in the same condition now as it was when you found it in the parlor? A. No, sir.

Q. What difference in its appearance now and at that time, if any? A. It is pretty badly torn and worn at the present time; it was not so when I found it.

Q. Is that all? A. No, sir.

Q. What else? A. There is a patch on the letter; there was none there when I found it.

Q. What was the name you cut out of there? A. I cut no name out.

Q. Do you now say to this Committee, that you did not at the time you received the letter, know the person to whom it was addressed? A. I did not.

Q. And have never since that time learned to whom it was addressed? A. No, sir.

Q. You do not know to whom that letter was addressed? A. I never saw that letter with the name in. The name had been cut out when it came into my possession. I pasted the patch on the letter to keep it from getting torn, and no one has ever told me or intimated to me, whose name originally appeared in that letter.

Q. Do you remember what time of the day it was when you found this letter in the parlor of the Windsor Hotel? A. Not far from noon; I should say sometime during the middle of the day.

Q. How long after you found the letter was it until you again met Mr. Henrie?
A. I think it was a very short time.

Q. Five minutes? A. I will not undertake to say five minutes, or ten minutes.

Q. About how long? A. Within an hour or two, I should say. Perhaps less than an hour, and perhaps more than an hour.

Q. Did you not immediately hunt him up? A. No, sir; I was too busy at that time to go out of the office to hunt anybody up.

Q. Who was the first person you conversed with with reference to this letter, after you found it in the parlor? A. I think the first person I conversed with with reference to that letter, was Mr. Henrie.

Q. Now where was Mr. Henrie when you conversed with him about it? A. My recollection is that Mr. Henrie came to headquarters, and I told him I had something I wanted to show him and took him into my sleeping apartment, which was the place where I went to have strictly private conversations usually; and there showed him that letter and another, at least one other, document; and asked him what he knew about them.

Q. Well now, you had at that time Exhibits numbered 9, 10, 11, 12, 13, 14, 15, did you not? A. Let me look at the exhibits and I will tell you. I had in my possession Exhibit No. 9. I did not have Exhibits 11, 12, 13, 14, 15.

Q. When did you obtain possession of the exhibits last named by yourself? A. I never had possession of these exhibits.

Q. Never did? Q. No, sir.

Q. Do you know where they came from? A. The first time I saw these exhibits they were in the possession of Mr. Greer, since this investigation began.

Q. You had read the same in the publications of the *Courier*, prior to the time they were exhibited in this investigation? A. I never knew of them being published.

Q. Was Exhibit No. 9 the only paper you found in the parlor at the time you have designated? A. No, sir.

Q. What else did you find? A. Another, Exhibit No. 10.

Q. You then found Exhibits 9 and 10? A. Yes, sir.

Q. Do you know who was in the parlor immediately before you went in? A. Not immediately.

Q. Recently? A. During the forenoon I remember of noticing in the parlor at different times, as I stated in my direct examination, Mr. George W. Poorman.

Q. Anyone else? A. Mr. C. A. Henrie, Mr. W. H. T. Wakefield, Mr. G. C. Clemmens, and I think several other gentlemen, were there.

Q. How long after they left the parlor was it you entered? A. I could not tell.

Q. About how long? A. I do not know when they left. I remember passing the door at some time during the forenoon, once or twice, and noticing these gentlemen in the parlor. I had to pass that door to get to my office, and was very busy, being solely in charge of the headquarters because Mr. Booth was outside.

Q. Now, sir, don't you know that you were in there with these gentlemen whom you have mentioned? A. No, sir.

Q. Did you not at that time know the object of their meeting? A. I did.

Q. What was it? A. At least, I understood, that they were there making some arrangement for the entertainment of D. R. McGlynn, who was to lecture a night or two afterwards.

Q. And did not the republican state central committee pay Dr. McGlynn's bills? A. I think they did.

Q. And was not that the understanding that day between yourself and Mr. Henrie, meaning the day that you say you found Exhibits 9 and 10 in the parlor of the Windsor Hotel? A. I think it was.

Q. Was it not further the understanding that certain papers were to be left in a particular chair and at a particular place in the room, and as soon as they left you was to go in there and obtain possession of the same? A. No, sir.

Q. This was the day following the receipt of the letter at headquarter from Mr. Greer, recommending Mr. Poorman to the state central committee, was it not? A. I do not know when the letter was received. I never saw the letter to my knowledge.

Q. You knew of its contents and heard of it, did you not? A. Not until after the arrival of Mr. Poorman.

Q. He arrived the afternoon before, did he not? A. Either in the afternoon before or that morning, I do not know which.

Q. Do you know when the letter was received? A. I do not.

Q. Do you know how it was received? A. I do not.

Q. Did George W. Poorman bring the letter with him? A. I think not, Mr. Booth told me not.

Q. Well, was it not the understanding that as soon as these parties left the parlor, that you were to go in there and search for the letters in question? A. There was no understanding of that kind.

Q. Did you not have some information that led you to visit the parlor at the particular time you did? A. No, sir.

Q. You tell this Committee you did not? A. I do.

Q. What did you go in there for? A. I think, I went to look for one of the parties to see if he was still there.

Q. Who was you looking for? A. I think, I was looking for Mr. Henrie.

Q. Did you find him in there? A. No, sir.

Q. Did you find any person in there? A. No, sir, I think not.

Q. Where did you find these Exhibits 9 and 10? A. I found them on the chair or sofa, near the door.

Q. Was it not behind the door? A. I do not remember the exact spot. I know I looked in at the door and saw some papers from my position without going inside the door, and I picked them up.

Q. How did that door swing, to the east or west? A. It was a large, double door. I do not think there was any door that closed. I think it was just an opening at that time.

Q. You say it was a double door? A. Either a double door or a large opening.

Q. You entered from the hall-way, did you not? A. Yes, sir.

Q. Both doors were wide open? A. I presume they were.

Q. They were sliding doors, you say? A. I do not remember. I do not think so.

Q. They opened inward, did they not? A. I think so.

Q. Is it not a fact? A. Doors generally do.

Q. When you stepped inside of the door, you know there was nobody in the parlor? Is not that a fact? A. Yes, sir.

Q. You observed a chair behind the door on the west side of the parlor, didn't you; that is, to your left as you would enter the room? A. I do not recollect whether it was on the west side or on the east side.

Q. And you stepped behind the door and picked up these papers then lying on the chair there? A. No, sir; I do not think I stepped behind the door.

Q. You say you did not? A. That is my recollection.

Q. Do you remember of any person in the hall when you came out of the parlor? A. No, sir.

Q. Do you remember of having any conversation in the hall before you entered the headquarters? A. I do not; I might have had, but I have no recollection of it.

Q. Do you remember of saying to any person by the way, republican, that the scheme had worked splendidly, and Henrie had left the papers where he had agreed to leave them? A. No, sir.

Q. You didn't say that? A. I never did.

Q. You are positive of that fact? A. Yes, sir.

Q. Are you able to designate the part of the room in which you found Exhibits 9 and 10? A. I have designated very closely; as closely as I can.

Q. Please do it again. A. It was near the door entering the parlor.

Q. Is that all the explanation you are able to give as to the particular place you found these papers—these exhibits, I mean? A. It is.

Q. You have no distinct recollection as to the exact place where you did find them? A. I have not.

Q. On what day of the month was this? A. I think it was on the 5th.

Q. The 10th. was it not? A. No, sir.

Q. Now, you stated upon yesterday afternoon, as I remember, Mr. Hutchins, that Mr. Gebhardt was assistant secretary for the committee? A. Yes, sir.

Q. Was he in the employ of the committee during the entire campaign? A. He was an officer of the committee during the entire campaign.

Q. He had charge of the correspondence, or a great deal of it, did he not? A. No, sir; very little of it.

Q. What were his duties? in other words, what services did he perform? A. His duties were, principally, looking after the circulation of the documents sent out—the bills for the meetings.

Q. Packages, boxes, etc.? A. Yes, sir. I do not recollect of any boxes being sent out; but if they had any, he probably would have sent them.

Q. Do you tell this Committee that you have no recollection of the preparation of any box? A. I do not recollect of any.

Q. Now, I will ask you if it is not a fact that you and C. A. Henrie, on the 16th day of October, 1888, did not prepare and pack in bran the dynamite bomb that exploded in Coffeyville? A. No, sir; we did not. Any insinuation of that kind is infamous.

Q. Is it not a fact that Mr. Gebhardt saw you and Henrie at the time it was being prepared? A. That would have been impossible, for it was never prepared by us.

Q. Is it not a fact that you sent him down to the mill to get a half-bushel of bran yourself? A. No, sir; it is not a fact; and no bran was ever brought to headquarters.

Q. Did you not tell him to say to the miller that he wanted some bran for a sick horse? A. No, sir.

Q. Did you send him to a mill or any other place in Topeka upon a mission of that kind? A. No, sir.

Q. Was not the bran I have mentioned put in a flour sack, packed in a grip, and the box prepared in pieces, packed in a grip, and a dynamite bomb in a piece of gas pipe five inches long, and an inch and a quarter in diameter, packed in your room and delivered to C. A. Henrie on the morning of the 17th day of October, and he started with it to Kansas City, by you? A. No, sir; every part and particle of the question is false, wrong, absolutely so.

Q. Did you ever have any conversation with Mr. Gebhardt about that matter? A. There was never any such matter to converse about; and I never had such conversation with Mr. Gebhardt, or anybody else.

Q. Did you not say to Mr. Gebhardt that the expose published in the *Winfield Courier* of October 4th, did not have the desired effect in southern Kansas at the time of its publication? A. I do not think I ever talked about that to Mr. Gebhardt.

Q. Did you not also say in addition to that which I have said, that Mr. Henrie had received considerable instruction and had had experience in the preparation of dynamite; and that it was your intention, in order to down the union labor party, to send him, together with a gentleman from Emporia by the name of Burchfield, to Coffeyville, and to have the bomb shipped by express to Winfield, to do that which Ed. Greer had prepared to be done by reason of his increased insurance; to lay the whole matter upon the Vincents, and immediately thereafter, publish the second expose, and thereby destroy the union labor party? A. I never said that to Mr. Gebhardt, nor to any other man, living or dead, or any other being, because it never had any existence, in fact, or any single particle, or substance, or part of it.

Q. Have you not, since the commencement of this investigation, said to Mr. Henry Upham and his wife that you regretted very much that he could not say upon the witness stand that he did have some chemical in his dark room that might have exploded? A. I did.

Q. You said that? A. I did.

Q. When was that, with reference to the time he testified? A. I think it was after.

Q. How long after? A. Probably the same day, or immediately.

Q. What was your object in having that conversation with Mr. Upham and his wife? A. I am glad for an opportunity to explain. I made that remark to them because I was disappointed that his evidence did not allow the explanation of the explosion which I thought must be the true explanation, namely, that it was an accidental explosion of chemicals intended for the injury of nobody and to do harm to nobody; hoping such explanation would be possible, and the mystery which has continued to be a mystery might be cleared up.

Q. When did you reach that conclusion? A. That has been my private opinion since a comparatively short time after the explosion.

Q. The first statement that you made, publicly, concerning the matter after the explosion was that the Vincent brothers of Winfield were guilty of that charge; is that not a fact? A. I do not think it is.

Q. Did you not talk it at republican headquarters? A. I do not think, Mr. Henderson, that I ever said to anybody that I believed the Vincents or anyone else was directly guilty of that outrage.

Q. You know Senator Lockard, do you not? A. I do.

Q. Do you remember two years ago of reading a communication from him that was published? A. I remember of reading the published communication.

Q. Were you not present at the time that communication was prepared? A. I was not.

Q. Do you remember the contents of the letter he wrote? A. I have only the most vague idea of it.

Q. I now call your attention to a letter found on page thirteen of what is called the red book, addressed to C. J. Lamb, Wm. H. Gray, Jack Watson, Alfred Hill, petitioners, Kirwin, Kansas, and ending on page sixteen, signed F. M. Lockard, State Senator, and ask you to examine that part that I have called your attention to, and state whether that is substantially a correct copy of the letter in question? A. I think that is a correct copy of the letter, as I saw it in print in the daily papers immediately following. I never saw the original, never knew of its preparation, never heard of it nor of the petition until I saw them in print.

Q. Is it not a fact that W. P. Hackney, E. P. Greer, Henry Booth and Senator Lockhard were present with you at the Copeland Hotel the night that matter was prepared? A. The others may have been there; I was not present.

Mr. Henderson said that he desired to introduce in this connection, as a part of the case for the prosecution, the letter published in the red book, to which reference had already been made; that he supposed that this letter had already been introduced in evidence, but finding that it had not been, he desired to introduce it now for the purpose of questioning the witness in regard to it. The letter was thereupon introduced in evidence, marked Exhibit 44, and was as follows:

[EXHIBIT 44.]

SENATOR LOCKARD'S REFUSAL.

TOPEKA, KANSAS, Feb. 20th, 1889.

C. J. Lamb, William H. Gray, Jacob Watson, Alfred Hill, Petitioners, Kirwin, Kansas—GENTLEMEN: I am just in receipt of a petition, signed by each of yourselves, and bound with a black ribbon, and which said petition is in the words and figuring, to wit:

"To the Senate and House of Representatives of the State of Kansas.—PETITION.—Your petitioners, citizens of the State of Kansas, respectfully represent that one evening in October, 1888, a few weeks prior to the late presidential and state elections, a package of dynamite exploded in the house of one H. M. Upham, at Coffeyville, in this State, whereby two innocent women were dangerously and well-nigh fatally wounded; that thereupon the republican press and speakers made haste to allege, charge and insinuate, that men connected with the union labor party in Kansas were responsible for this crime; that suddenly, in a day or two thereafter, the republican press of Kansas ceased to comment upon or to contain reports of this most outrageous occurrence; that the republican office-holders of this state and of the counties thereof have made no real effort to ascertain and apprehend the guilty persons, but have, in common with the republican press, ignored this villainous and murderous conspiracy. Therefore, your petitioners pray that your honorable body appoint a committee to investigate—

"1. The cause of what is known as the 'Coffeyville dynamite outrage;' the names of the dynamiters and their co-conspirators, if any, and the objects they desired to attain.

"2. Whether any member of the present house of representative of Kansas, or officer thereof, was in any manner connected with this 'Coffeyville dynamite outrage;' as adviser, aider, or abettor thereof.

"Your petitioners, having observed the righteous indignation shown by your honorable body regarding the murder of a citizen of Arkansas, have faith to believe that you will, with like celerity, visit your wrath upon political murders, or attempt thereof, in our own state of Kansas.

"Your petitioners represent that Henry Booth, now speaker of the house of representatives of Kansas, was, at the time of the explosion, the manager of the republican campaign in Kansas, and chairman of the republican state committee, or some member or members, is, or are, by many citizens, suspected of complicity in this said 'Coffeyville dynamite outrage;' wherefrom your petitioners suggest the impropriety of the appointment of this committee to investigate by said speaker.

"And your petitioners will ever pray, etc.

C. J. LAMB. WILLIAM H. GRAY.
JACOB WATSON. ALFRED HILL."

And in reply thereto, permit me to say that I decline to present the same to the Kansas legislature, which is composed of respectable men, because of the fact that your petition is a libel upon one of the best men in Kansas; because it is an insult to the people of this state which you, by sending me this petition, disgrace; and because the conclusions assumed by you in the above petition are wholly and absolutely false. And this you, and each of you, must have fully known when you signed it. That a cowardly and treasonable organization existed in the state of Kansas, and that the leaders and members of the late so-called union labor party in this state—a party to which you and each of you belong—was established beyond a doubt by the expose, published in full in the *Winfield Courier*, and republished in all the papers in the state during the last campaign; and that the publication of that expose tended very largely to destroy your party in this state, in the late campaign, is shown by the thousands of reputable citizens who belonged to your party at that time, and who subsequently voted with the republicans by reason thereof, and that you and those who fasten the “Coffeyville crime” upon leading republicans of this state, without a particle of truth in support thereof, are as infamous as was the fiend whose dynamite came so near killing the unfortunate women referred to in your petition.

What object could the Hon. Henry Booth have had in sending dynamite to Winfield? What object could any republican have had in so doing? Has dynamite ever been found in the hands of a republican in Kansas or elsewhere? No; and you knew it when you penned the above petition. On the other hand, what was the object in sending the bomb? Whom could it benefit? And whom would it injure? A statement of the facts is an answer to these three propositions, and irresistibly fastens the crime on your own party.

First: The expose heretofore announced, showing that that treasonable organization existed, and the connection of your leaders therewith, was published in the *Winfield Courier*, and the facts furnished by one of that order to that paper in order to expose the treasonable character of your party and its managers.

Second: That it created consternation in your ranks, and exposed to the full light of day the aforesaid treasonable character of the substratum of your party, and the damnable teaching of your leaders in Kansas.

Third: With your emissaries at Winfield and elsewhere, all over Kansas, immediately upon said publication becoming known, with one voice defended the secret order referred to, tried to explain away its treasonable tendencies, and whispered among yourselves that the editor of the *Winfield Courier* ought to be killed and his newspaper blown to the skies. And you know, as does every other union labor man in Kansas, that by reason of this intense feeling on the part of your partisans, all occasioned by said expose, that it became necessary for the protection of that editor and his property as well, to have the officers of the law guard him and his property for weeks and months thereafter, in order to prevent your friends from murdering one and destroying the other. And when you intimate “That the republican officers of this state, and of the counties, have made no real effort to ascertain and apprehend the guilty persons,” you are either irresponsible assassins of character, and asserting that which you know nothing about, or you are malicious liars; and I believe that you are both. And my judgment is that your party is afflicted with the latter disease generally.

Look at the facts: hundreds of dollars have been subscribed, by republicans of Winfield and Coffeyville, for the apprehension and conviction of the dastardly scoundrel who shipped that dynamite. And republican officeholders, anxious to secure that money, and apprehend the offenders as well, have been and now are busily engaged in an earnest effort in that direction.

All history teaches the utter futility of efforts to fasten crime upon members of a secret, treasonable organization, bound together by blood-curdling oaths and political interests. And especially is this so where crime has been resorted to. And that is this case exactly, and you know it, and your sympathy proves it. It is amazing how the vicious sympathize with each other, always and everywhere. In Arkansas they murder republicans, and in Kansas the members of the union labor party sympathize with the murderers, as your petition fully demonstrates. And I have no doubt that when the Arkansas murderers heard of the “Coffeyville outrage” they sympathized with you and your friends, and hoped your friends would escape the just punishment thereof. And this reminds me that your annex—the Democratic party of Kansas and Arkansas—is alike bound in perfect sympathy with you in this respect. And you ought to join hands and unite all the dynamiters and murderers into one party.

There is no necessity for the appointment of a committee to investigate this “Coffeyville outrage.” Every man in this state, who knows right from wrong, knows that it was a member of your party that committed that crime; that it was your party that was interested in the perpetration thereof; and that in perpetrating such a crime he had, and has, the sympathy, if not the active assistance, of every scalawag and scoundrel in the state. No member of this legislature had ought to do therewith, either directly or indirectly, and you know this as well as anyone else. No respectable man in Kansas believes, or pretends to believe, to the contrary.

And when I contemplate the charges contained in your petition, and remember that, in concluding the same, you use this language, “And your petitioners will ever pray, etc.,” I am amazed. Ye gods, that quotation is refreshing! The idea of any of you fellows praying! When did you, or either of

you, commence to pray? And what was, and is, the character of your prayers? And to whom are they addressed? And what is the nature of your supplication? Do men who pray, and whose prayers are of a character to be answered, malign your fellow-men, as you have done in your petition, especially when they never did you harm?

Henry Booth was a brave and gallant soldier, who fought for his country in its sorest hour of need. He shed his blood for the elevation of his fellows. He was reared in a political school that taught loyalty to country, and obedience to its laws. And he lives, walks, talks, and adheres to principles of government that could not and would not tamper with bombs, and which abhor murders and outrages, wherever they may be perpetrated, and I wish to God that you fellows could say as much.

Trusting that time will obliterate the evidence of your grief, occasioned as it is by this legislature denouncing the murder of John M. Clayton, by your confreres in Arkansas, and that with age may come wisdom, and a change of heart on your part,

I am, very respectfully,

F. M. LOCKARD, *State Senator.*

Q. Mr. Hutchins, how soon was it that you reached the conclusion that it was an accidental explosion at Coffeyville? A. I cannot tell you just when.

Q. About when with reference to the 20th day of February, 1889? A. It was undoubtedly quite a while before that; I should say probably before election time, 1888.

Q. When you reached that conclusion, did you through any public press in the state declare your conclusions? A. I do not remember of doing so.

Q. Did you at any time? A. I do not think I declared any conclusion of any kind in the public press.

Q. You, at the time you were secretary of the state central committee, were not the editor or proprietor of a newspaper? A. No, sir.

Q. Since that time you have been the editor and proprietor of a republican newspaper published and circulated in this state for some sixteen months prior to this date? A. Yes, sir.

Q. During that period of time, have you ever editorially or otherwise published your conclusion as to the cause or causes of the explosion at Coffeyville? A. Yes, sir.

Q. When was it, with reference to the commencement of this investigation? A. A long time before.

Q. In what paper? A. The *Clay Center Dispatch*.

Q. Have you a copy of that with you? A. I have not.

Q. Did you in that paper state it was a chemical explosion? A. I do not think I ever said what caused the explosion. I never knew what caused the explosion and I do not make statements usually without knowing something about them. I not only pretended to state, but did state, to the best of my recollection, that I had never charged it to a political party or to a political motive; and my recollection is, without being absolutely definite upon that point, that I mentioned at one time or another my theory that it was an accidental explosion.

Q. Did you ever say it was chemicals usually used by photographers? A. I do not know.

Q. Don't you know that you did not? A. No, sir; I do not. My recollection is as a matter of fact, I did not, only combated that it was chargeable and that the affair was known to the republicans and that they were responsible for it; but that I did not believe any other political party was responsible for it; but I did believe that it came from an accidental explosion of chemicals in the hands of a photographer; and that during the campaign of 1890—

Q. Well did you ever form an opinion what might have been the result if that box had reached its destination at Winfield? A. I cannot say that I did.

Q. Did you ever think about that? A. I have.

Q. You have had some serious thoughts about it, have you not, Mr. Hutchins? A. Thoughts on that subject ought to be pretty serious.

Q. You did have some serious thoughts upon that question—what might have

been the result if that box had reached its fatal destination? A. I never knew what its destination was.

Q. Have you not been informed, from the history of the case, that its destination was Winfield? A. At the same time, I have been informed that the party to whom it was addressed had no existence in fact, and was unknown at the city of Winfield; then, the exact destination would certainly be a matter of mystery.

Q. Have you not also been informed, that the day following the explosion at Coffeyville, that the excitement ran high in the minds of republicans in Winfield, and the hanging of the Vincents was commonly talked of on the streets? A. No; I do not think that is true, that I knew of that state of public feeling in Winfield.

Q. Did you not know from publications in newspapers that such was the case? A. I gathered from publications in newspapers that there was a high state of excitement; that the republican citizens of Winfield had raised two thousand dollars on subscriptions to offer a reward for the apprehension of the person who deposited that box at Coffeyville; and I judge from that, that excitement must have been considerable in Winfield.

Q. Did you not also ascertain from newspaper articles that the lives and safety of the Vincent boys were threatened at that time? A. Never.

Q. You say that you never did? A. I never did.

Q. You knew then the state of excitement at Winfield prior to the time you reached a conclusion as to the cause of the explosion, did you not? A. Yes, sir.

Q. Did you at any time thereafter, directly or indirectly, notify any person or persons in Winfield as to the conclusion you had reached? A. Yes, sir.

Q. Who was it? A. I know it was Mr. Greer. I do not know who else.

Q. When did you notify Mr. Greer? A. I suggested my conclusion to Mr. Greer afterwards in talking about the matter.

Q. When was it? A. I cannot tell you.

Q. What year was it? A. My best recollection is that it was the next time I saw him after the election.

Q. When was that? Q. That was probably during the session of the legislature of 1889.

Q. Did he agree with you in your views at that time? A. I do not know that he did—my impression is that he did not.

Q. Has he since that time agreed with you? A. I think he has.

Q. When did he agree with you that your ideas were correct? A. I do not know when he changed his opinion, or when he came to the same conclusion that I had.

Q. Do you remember when the interview was published, purporting to have been had with him by a *Capital* reporter, in the morning *Capital* of this city, about the time of the commencement of this investigation? A. No, sir.

Q. Do you remember of reading that interview? A. In the morning *Capital*?

Q. Yes, sir. A. No, sir.

Q. The *Journal*? A. Yes, sir; I remember of reading it in the *Journal*.

Q. Well, did you talk with him about it at that time? A. I had talked with him previous to that, since the investigation was inaugurated.

Q. He agreed with you at that time that your theory was correct, did he? A. Well, I do not know that he agreed with me that my conclusion in the matter was the same as his all through and in every respect.

Q. You substantially agreed, did you not? A. We substantially agreed upon this point, Mr. Henderson, that it was not chargeable upon either political party.

Q. Have you read an editorial in his paper of last Friday, the 27th day of March? A. I am inclined to think I read Mr. Greer's last week's paper. I do not remember the contents of any particular editorial.

Q. As to your conversation with Mrs. Lease at Clay Center, you did call to see her at her rooms in your city? A. Yes, sir.

Q. You did have a conversation with her? A. I did.

Q. The subject-matter of the conversation was the Coffeyville explosion? A. It was a part of it.

Q. You did talk with her about it? A. I did.

Q. You did talk with her about the life of A. R. Parsons? A. No, sir; I did not.

Q. Did you not state upon yesterday that you did converse with her about his life, and that she agreed to send you a copy of the history of his life? A. I had some conversation in which reference was made to the book known as the history or the life of A. R. Parsons.

Q. In which the name of C. A. Henrie was mentioned? A. In which Mrs. Lease said the name of C. A. Henrie was mentioned.

Q. I believe you stated on yesterday that you did not, in that conversation, say Mr. Henrie was a sneak and a thief. A. I did not.

Q. Do you know W. D. Vincent, of your city? A. I do.

Q. Have you had any talk with him since Mrs. Lease testified in this case? A. I have.

Q. Do you remember the conversation you had with him? A. Substantially.

Q. Do you remember of saying to him that you intended to have him subpoenaed, and you had come to see him for the purpose of putting him in that condition that he might refresh his recollection as to that which was said between you and Mrs. Lease in his presence? A. No, sir.

Q. Did you in that conversation say to him that Mrs. Lease had testified that you had called C. A. Henrie a sneak and a liar, and you called upon him to testify that you said no such words? A. I did not.

Q. Did you say that in substance to him? A. No, I did not.

Q. Did you not repeat the language which I have already used, and in addition thereto use the following: "I thought I would let you know about this matter, so that if you have any suggestions to make, there will be time." Did you say that? A. I do not recollect of it.

Q. Have you had him subpoenaed here as a witness? A. No, sir; I never told him we were going to have him subpoenaed. I told him we would if we thought it necessary.

Q. Did you not tell him you would have him subpoenaed this week? A. I did not.

Q. Do you know out of what funds Mr. Henrie was paid for his services as assistant clerk in the labor bureau, from the date of his appointment up to and including the month of June, 1889? A. Why, not positively. I know what was the plan in regard to that.

Q. What was the plan? A. The plan was that in order to give Mr. Henrie work and something to live upon until the 1st of March, he should go in and go to work in the bureau; and the money which should be coming to him for the years commencing the 1st of July following, should be divided into the number of months commencing the 1st of March and ending two years from the following July, and he was to have that proportion of the pay until March, or something to that effect. The appropriation following to be drawn upon to pay the money advanced by Mr. Betton, and to be taken from the appropriation when it became available.

Q. Is it not a fact that certain state officers advanced the money to pay his wages for March, April, May and June, and don't you know it? A. I think I do not know of any such thing. I do not believe it is true.

By Mr. Curtis: Q. You may tell the Committee what you did say to Mr. Vincent upon the subject asked you by Mr. Henderson. A. After Mrs. Lease had given her

testimony and I had returned home, a day or two afterward, I went to see Mr. Vincent, and without telling him I expected him to testify, I called his attention to the fact that he was present during my conversation with Mrs. Lease, and produced a memorandum of certain parts of the testimony that she had given in the investigation, and asked him if he remembered of any such conversation or remarks being made during the conversation between Mrs. Lease and myself. On that particular point mentioned by counsel touching Henrie, I read this memorandum to Mr. Vincent from the testimony of Mrs. Lease: "Then I said, 'C. A. Henrie is a spy as well as an anarchist.' He said, carelessly, 'He is a sneak, a man whom we would not trust at all.' I said, 'He is a sneak, is he?' He said, 'Oh, yes; we would not trust him.'"

Q. That is a quotation from Mrs. Lease? A. That is a quotation from Mrs. Lease's evidence.

Q. You repeated it to Mr. Vincent? A. I read it to Mr. Vincent from this written memorandum, and asked him if he remembered any such conversation taking place at that time. He said he did not.

Q. What did you say to him about having him subpoenaed here as a witness? A. I said, after telling him more concerning the evidence Mrs. Lease had given, and discussing what had been actually said in that conversation, that perhaps the attorneys would think it necessary to have him subpoenaed to testify in the matter, and if they thought it was necessary I would have a subpoena sent for him.

By Mr. Crumley: Q. Did he say he would testify that you did not have that conversation? A. He said he did not remember of the conversation. Said he would testify to the truth as he remembered it; that he did not remember any conversation in those words, but that he did remember that I did not seem very enthusiastic in the defense of Mr. Henrie personally. Just what I said he would not remember.

Q. If he would have testified that the evidence by Mrs. Lease was not true, you would have subpoenaed him perhaps? A. He said he would testify that it was not true, that and a great many other points that she had already testified to before she left the stand were not true; but it did not seem necessary to bring him here to testify to things which she contradicted herself on the stand. He said further in that conversation that I had made no confession; and agreed positively that I had said nothing that could possibly be tortured into a confession, or upon which she could possibly base the assertion which he had heard her make in a speech at Clay Center after the election; and that he knew regarding that conversation mentioned by Mrs. Lease. I specially undertook in a long argument, lasting nearly an hour, to convince her and him of the falsity of the charges which the *Non-Conformist* had made and which she reiterated in that conversation.

By Mr. Dawes: Q. I want you to state now whether or not you did not demand of me, as one of the attorneys in this matter, that a subpoena be issued to W. D. Vincent? A. I did; at least I said I thought it would be best to have it done.

Q. Is it not a fact that the attorneys for the defense refused to have that subpoena issued, because as they said there was nothing in the evidence of Mrs. Lease, and that her statements in the cross-examination completely refuted what she said in her direct examination? Is that not a fact? A. It is a fact, and a further fact that I have a subpoena in my pocket, signed by the chairman of this Committee, issued for Mr. Vincent; and that the attorneys insisted it was useless to have it served for him to appear here to contradict testimony that had not damaged anybody.

Q. And was not the reason assigned by attorneys such as I have stated? A. Exactly.

By Mr. Senn: Q. What did you consider to be your duties as secretary of the

republican state central committee? A. I considered my duty to organize the republican party, to plan the republican campaign, to make just as many votes for the republican ticket as possible, and to detract just as many votes from the democratic and union labor tickets as possible.

Q. Any other duties besides those? A. Well, that in a general way covers the duties of the office.

Q. Was it your duty to keep the accounts of expenditures? A. It was not made a part of my duty in that campaign.

Q. Whose duty was it? A. It was a duty performed almost entirely by the chairman of the committee, Mr. Henry Booth.

Q. Then the plan of the Vidette exposure would probably have been one of your duties? A. It was rather naturally one of my duties, and was made so by the special request of the chairman.

Q. Then you participated in the planning and getting up of the first expose? A. No, sir; I did not.

Q. You did not know anything about that until it appeared? A. I did not know anything about it until I was told about it by George Poorman. I think it had been published, but I had not seen it in print.

Q. You knew that as a matter of fact the first expose was without effect? A. No; I do not think it was.

Q. You know that the most of the papers, even republican papers, simply ridiculed it, and thought the idea was silly and absurd that such a treasonable order as that existed among the farmers of Kansas? A. No, sir; I do not know that that is a fact. I do not think that the republican papers generally had their attention called to it; I know we made no effort to call their attention to it.

Q. You certainly knew in a general way what attention it received was rather in the way of ridicule? A. No, sir; I do not know that. I have never seen any republican newspapers, at least I had not at the time of the second expose, seen any republican newspaper in which the first expose or the matter contained in it was a subject of ridicule.

Q. Don't you know as a matter of fact that the *Kansas City Journal* and one of the leading Topeka republican papers simply ridiculed the idea? A. I do not think that either of the papers here or the *Kansas City Journal* mentioned the matter at all; if they did, I have no recollection of it; and I read all three of these papers rather carefully.

Q. How long a time transpired between the first and second expose? A. Fourteen days.

Q. And very little mention was made in any of the papers in regard to it—the first expose? Yes, sir; very little.

Q. Well, then, since you had the planning of the campaign, didn't you think it was necessary to add some new strength and interest to the second expose? You would not expect that the second expose, which was substantially the same as the first, would receive more attention without adding something to it? A. No, sir. I should not have promulgated the first expose in the same manner that I promulgated, or assisted in promulgating, the second expose, I do not think. I would not now think that a document giving the secret work of an organization unknown to the world, its membership a subject of absolute secrecy, would have the same force and effect that publishing the treasonable, revolutionary and anarchistic portions of that document in connection with a list of the leaders of that organization, together with an account of the meetings of their state council, and direct and absolute proof of the connection of this organization and its leaders with the management and control of one of the supposed great political parties of the state.

Q. You was instrumental in publishing the second expose because you really thought it was a treasonable, anarchistic organization? A. Yes, sir; I did.

Q. Yesterday you testified that you did not believe that any of these men you knew, the Vincents and others, personally intended anything treasonable or that they were anarchists; that you knew them personally to be good men, or words to that effect. A. I do not think I testified that, all of it, nor with that implication at all. I certainly did not hear the name Vincent mentioned in any testimony I gave on that subject. At the time of this expose I did not know the Vincents.

Q. Did you, at that time, know any member of the Videttes that you thought that they had treasonable or anarchistic intentions as individuals? A. I knew from the records something of the members of the organization, and I believed these men were into an organization which was founded on revolution and treason. What they were doing there I did not pretend to say. What I did say was: That I would not charge a friend of mine, and one who I regarded as a neighbor and respectable person, with entertaining these motives and argue it with him.

Q. Yet, you seem to think, that while they were personally good men, it would be possible for them to be participators in a treasonable and revolutionary organization? A. I believed the organization was treasonable and revolutionary, and evidence showed that they were members of it. It was not for me to say what their motives were in joining that.

Q. But did you not think it would add force to the expose, if something like an explosion could be had with it? A. No, sir; that is not a republican campaign method. The republican party do not have to get down to that kind of politics. The republican leaders do not have to get down to that kind of work.

Q. You mean to tell that the republican central committee collected all money and disbursed it without the secretary having any knowledge of the facts, and keeping the accounts for that part of the business transaction? A. I did not say so.

Q. Did you not say Mr. Booth kept the accounts? A. Most of them. Mr. Booth had charge of the accounts. When I was present, he brought a check on the bank, and orders for money belonging to the committee, to me to countersign. When I was not present, they were countersigned by Mr. Gebhardt, assistant secretary.

Q. Were there no books kept? A. The accounts were kept, I think, in the bank book, balanced every day to show the balance on hand, and the balance carried forward on the stub of the check book. I do not think a ledger was kept. I will say that we started into keeping a ledger, and we got so busy with other things of so much more importance, that we dropped it within a week or ten days of the beginning of the campaign.

Q. Is it not the usual function of the secretary of any organization, to keep the books? A. When the books were being kept, I took the stubs of the check book and posted to the books; as I said, we soon got too busy for that, and quit it.

Q. Do you know who paid for the setting up of the type of the expose in the state printing office? A. Yes, sir.

Q. Was it the state, or the state republican committee? A. The republican state central committee.

Q. Do you know how much? A. I do not remember the charges on that.

By Mr. Templeton: Q. You heard Mr. Booth's testimony, didn't you? A. No, only a small part of it.

Q. You heard his statement of bills being paid and checks drawn on the bank, did you not? A. No; I do not think I heard his testimony on that subject.

Q. Was it a fact that you kept the accounts in that way? A. When bills were brought in, and he knew nothing about them, he sent them to me to know if they

were all right, and I either said so or O. K.'d them, and sometimes he drew the checks, and sometimes I drew them.

Q. Did you keep the account on the stub? A. Whoever drew the check kept the account on the stub—filled out the stub at the time.

Q. Where are those stubs now? A. I presume they are in the possession of Mr. Booth.

Q. At what bank did you keep the accounts? A. The Kansas National bank.

Q. Yesterday you stated that it took no grips, signs or pass-words to get into the rooms of the republican central committee? A. I did.

Q. Are we to understand from that, that you had no secret sessions—sessions in which the whole world might not come in? A. No, sir; you are not to understand that. We did not publish our business to the world before it was ready to publish.

Q. You said that you attended the session of the legislature in 1889? A. I was in Topeka, and was clerk of the judiciary committee of the state senate during the session of the legislature in 1889.

By Mr. Dawes: Q. Mr. Senn asked you the question whether you thought the farmers of Kansas would organize a treasonable and anarchistic association of that sort; now, I desire to ask you if it is not a fact that the proof showed that nearly all of the members published as members of that order were not farmers at all? A. All that I knew about or could hear about were professional politicians.

Q. And all of that class who were trying generally to manipulate affairs? A. Exactly.

By Judge Webb: Q. After the testimony was given by Mrs. Lease, concerning your interview at Clay Center, you very soon saw and had a conversation with Mr. Vincent, the gentleman who was present at the time of your and Mrs. Lease's interview, did you? A. Why, it was within two or three days; as soon as I went home.

Q. You had taken an extract from her testimony in part, by which you refreshed your recollection when you were informing him to what she had sworn? A. Yes, sir.

Q. He told you he did not remember some portions of the testimony as it had been given by her? A. Yes, sir.

Q. After your conversation with him you were of the opinion it was advisable to subpoena him as a witness and have him appear here to testify? A. I was of the opinion that he would absolutely contradict the evidence of Mrs. Lease, and he told me that the other side had written to him, asking him what he would testify to.

Q. You were of the opinion that it was advisable that Mr. Vincent should be subpoenaed to come here and testify? A. Yes, sir; I thought it would do no harm.

Q. Now, did you think it would be advisable he should come? A. Yes, sir.

Q. Now, did you communicate to your counsel the nature of your interview with Mr. Vincent, and advise them what Mr. Vincent said to you? A. Part of it; all I could remember—yes.

Q. They told you they did not think Vincent would do you any good to bring him here? A. Yes, sir.

Q. Why didn't you bring him? A. They told me there was nothing to contradict; Mrs. Lease had contradicted her own testimony, so there was nothing left that would damage anyone.

Q. Did they tell you they thought he would be of advantage to you if you brought him here as a witness? A. No, sir; they said they did not think that we would need him.

Q. The reason that you did not bring him here was because you thought his testimony would not do you any good? A. The reason they did not have him appear here was because they thought his testimony was not needed.

Q. And, therefore, would not do you any good? A. Well, I think I have answered the question.

Q. You advised them of what his testimony would be? A. I advised them what he said.

Q. You did advise them from what you understood from your conversation with him, what his testimony would be if he was subpoenaed? A. Yes, sir.

Q. They told you they thought they did not need him? A. Yes, sir.

Q. And, therefore, you did not subpoena him? A. Yes, sir.

Q. Do you know Vincent? A. Yes, sir.

Q. He is a reputable gentleman? A. Yes, sir.

Q. You say in answer to one of the members of the Committee, that certain practices the republican party is not required to get down to for political purposes? A. I do, sir, emphatically.

Q. The practices in which they indulge, so far as you know, is to employ in their services members of the union labor party, to hold secret convention and consultation with other members, and get them to go to their conventions for the purpose of subserving the republican party; that is the kind of tactics they indulge in, is it not? A. I did not have any knowledge—I have no knowledge of the republican party or republican managers employing union labor party men for any political purposes.

Q. Have no knowledge of any such thing? A. Not at present; I do not recall anything of the kind.

Q. Suppose I say united labor instead of union labor? A. That is a very different thing, Judge.

Q. Mr. Henrie belonged to the united labor organization, didn't he? A. I believe Mr. Henrie considered himself or represented himself as a member of the united labor organization.

Q. You knew him to be in conference with other members of that organization, did you not? A. I believed him to be.

Q. And while he was holding that relation to it—the organization—and having conference with its members, he was in the employ of the republican state central committee of this state, was he not? A. Yes, sir.

Q. And by that committee was induced to go to New York and subserve its interests in the convention to be held in the interest of the organization of which he was a member? A. No, sir.

Q. He did go to New York in September? A. I believe he did.

Q. He was in your employ before he started? A. Well, I suppose there is no use in making a distinction between employ and services; he was associated with our committee in a political way before he went to New York.

Q. For what purpose did he go to New York? A. He said that the purposes for which he contemplated a trip to New York were to attend the meeting of the national committee of the united labor party, of which he was a member.

Q. He was a Kansas member of that committee? A. Yes, sir; and to attend at the same time the opening of the "anti-poverty fair."

Q. Well, that was the purpose. Did he consult with you and Mr. Booth with reference to his actions as a member of the committee, which he should insist upon having taken at New York? A. With me in a general way, and I think in detail with Mr. Booth.

Q. What action did you advise that he should take there? A. We advised that every effort should be made to keep the united labor presidential and vice presidential ticket in the field.

Q. What did you care whether it was kept in the field or not — what odds was it to you? A. Judge, I can tell you, if you want to know.

Q. I am asking you because I want to know. A. In New York city and state, and in the states of Connecticut and New Jersey, the republican electors were afraid they could not hold the vote or the majority of the vote of the Henry George or single tax, or united labor men — these being different names under which these people were known and had voted at city elections in New York city — and it was believed by them that if a national ticket, put forward by this party, could be kept in the field and voted for, it would have more votes which otherwise would go to the democratic party, than would, in case of its withdrawal, go to the republican party; and that a distinctive advantage would be gained in these close states, by keeping this ticket in the field; enough so, should the election be as close as it was in 1884, to turn the scale and decide the results of the presidential election — which would have been the case.

Q. Well, in short, you desired that ticket to be kept in the field for the purpose of advantage to the Republican national campaign? A. We certainly did.

Q. Mr. Henrie had not been acting with the republican party for any time before he entered into the services of your committee, had he? A. Yes, sir; supported the republican ticket in 1886.

Q. He was a member of the united labor party at the time, was he not? A. At which time?

Q. In 1886, and from that time down until he quit your services? A. I don't think there was any united labor party in 1886.

Q. He was a member of the Videttes or union labor party — he was a member of the Videttes, was he not? A. I understood him to be a member of the Videttes in 1888; I do not know when he joined.

Q. You believed that organization to be revolutionary and treasonable? A. Yes, sir.

Q. You understood Mr. Henrie to be a member? A. Yes, sir.

Q. And as a patriotic republican you employed him in the services of your committee to go to New York and subserve the interests of your grand old party, didn't you? A. I did not know that Mr. Henrie was a member of the Videttes or any other secret organization at the time he went to New York in September, 1888.

Q. You didn't know it? A. No, sir.

Q. When did you find it out? A. In October, 1888.

Q. Very soon afterward. Was it after that that you so cordially recommended him to the position he now holds in the labor bureau? A. Yes, sir; it was not for that reason, though.

By Mr. Dawes: Q. You were asked about what you told the attorney for the defense as to what Mr. W. D. Vincent said; I will now ask you if you did not tell them that Mr. Vincent informed you that the other side of this case had communicated with him in regard to the conversation with Mrs. Lease, and he had informed them that he could not do them any good? A. He did, and I told my attorney so.

Witness was excused. Committee adjourned until 2 o'clock P. M.

TOPEKA, Tuesday, April 1, 1891 — 2 o'clock P. M.

Committee convened pursuant to adjournment. A quorum present.

MR. UPHAM, recalled for further examination, testified as follows:

Examined by Mr. Dawes: Q. Mr. Upham, you may take that book and state to the Committee, what book it is? What book is it you have in you hand? A. This

is our office forwarding book, retained in the office by the agent until it is full, when a new one is commenced.

Q. Is that the book that was kept in the Pacific Express office at Coffeyville, in 1888? A. Yes, sir.

Q. Was it in that book that you entered the record of the receipt of the box, that you say was delivered to you on the 18th of October, 1888, at about 11 o'clock, and which you say, exploded? A. Yes, sir.

Q. The entry that is found in this book marked, "Box, glass, weight 5; P. Jason to L. Loudon, Winfield, charges 25 cents," is the entry of that package, is it not. A. Yes, sir; you have left out one column.

Q. Prepaid, 25 cents? A. Yes, sir.

Q. And it appears on the date of October 18th? A. Yes, sir.

Q. In this book, if I understand you, you entered the receipt of all packages received? A. What do I understand you by receipt?

Q. Of all packages received at the office are entered upon this book upon the date on which they were received? A. Yes, sir.

Q. Are they entered in the order in which they are received? A. Not always.

Q. Is that the custom? A. I do not know whether it is the custom of other agents. Sometimes they put them down in order; sometimes at the end of the day; sometimes when each agent feels like it.

Q. But I believe you said in your testimony heretofore, that when you received this box containing dynamite, that you entered it in this book upon the receipt of it? A. I entered it before I left the office.

Q. At dinner? A. Yes, sir.

Q. And you received it about 11 o'clock? A. Yes, sir.

Mr. Dawes offered in evidence that part of the book showing the entries of packages received at the office of the Pacific Express Company, at Coffeyville, of the date of October 18th, 1888. The same was marked "Exhibit 45," and was as follows:

[EXHIBIT 46.]

THE PACIFIC EXPRESS COMPANY.

Copies of Way-Bills Forwarded from No. 290, Oct. 18, 1888, Office, No. 188.

No. and description of packages.	Weight.	Dolls. Cts.	From whom.	To whom addressed.	Destination.	Advance charges.	Our charges.	Total collect.	Prepaid charges.	Where billed.
2 Pa. cit.....	6		Newton.....	D. F. H. Newton.....	Peru, Ka.....	2 40	18 75	74 15	7 00	
1 Pa.....	6		McK. M. & Co.....	Hannah Bonett.....	Sedan.....	1 80	25	1 85		
1 Ex.....			Agt.....		Leroy.....		25		25	
54 Eg.....	300		G. & D.....	Denver.....	Denver.....		50			
1 Br. DP.....	175		Wells.....	Helen & Co.....	Colo. Spg.....		7 50	7 50		
2 " ".....	200		".....	S. D. Hiney.....	Pueblo.....		4 40	4 40		
3 " ".....	360		".....	W. R. Harp.....	Denver.....		5 00	5 00		
1 Br. Gam.....	40		Kenn.....	P. M. Keeley.....	St. Louis.....		9 00	9 00		
1 " ".....	50		Anderson.....	W. W. Juby & Co.....	".....		70	70		
1 Ex.....			Agt.....		Honey Grove, Tx.....		90	90		
1 Pa.....	3		Davis.....	Asken Bros.....	Kansas City, Mo.....	60		60		
1 Pa.....	8		Isham.....	Miss Allie Isham.....	Oswego, Ka.....		30	30		
1 Br. DP.....	140		Landis.....	J. E. Haggerty Bros.....	St. Louis, Mo.....		25		25	
1 Do ".....	70		Do.....	P. M. Kilby & Co.....	Do.....		2 45	2 45		
1 Trunk.....	100		Fargo.....	Martin Nuckles.....	Caney.....		1 20	1 20		
1 Br. Bud.....			Ultum.....	G. W. Snyder.....	".....	3 00	40	3 40		
3 Mty.....			Wills.....	Lurbart.....	Tyro.....		25	25		
Br Glass.....	5		P. Jason.....	L. Loudon.....	Winfield.....		15		15	Apd.
							25		25	

Q. How many entries are there on that date? A. Eighteen. One entry is made and marked out, and it leaves eighteen.

Q. And the very last entry appearing upon that date, is the entry of a box which you say was left there by some man, claiming to be P. Jason, to be shipped to L. Loudon, at Winfield, is it not? A. Yes, sir, there are four entries that are not in my handwriting.

Q. How many are there of that date, that are not in your handwriting? A. I should say there are four that are not in my handwriting.

Q. Now, the entry of Landis to J. E. Haggerty, to St. Louis, Mo., is in your handwriting, is it not? A. No, sir.

Q. The entry for the same party, Landis, to P. McKilby & Co., is in your handwriting, is it not? A. No, sir.

Q. Then you claim there are four entries not in your handwriting. Do you think the 5th, 6th, 7th and 8th entries from the bottom, are not in your handwriting? A. No, sir.

Q. The balance of them are? A. Yes, sir.

Q. Do you know in whose handwriting are the four entries which you say are not in yours? A. I think they are in the handwriting of Kyle, who was our route agent, and came to the office to look after it the next day after the explosion occurred. That may not be his handwriting, but may be in the handwriting of Mr. Sturr, who was clerk in the store where my office was.

Q. Then, after the four entries, which you say are not in your handwriting of that day's business, there follow four entries which are in your handwriting? A. Yes, sir.

Q. And among the four following which are in your handwriting, is the one from P. Jason, to L. Loudon, at Winfield? A. Yes, sir.

Q. Take this book [handing witness another book] and tell the committee what it is? A. That is what we call a messengers' receipt book; it is a book that we obtain the receipt of the messenger on the train when we deliver to him the way-bills and articles to go.

Q. And that contains a record of the articles delivered to the express messenger at the express car of that date? A. That is what it is expected to show; yes, sir.

Q. But this page I have here is a record of the transaction of October 18th, 1888? A. That is supposed to be a record of the transaction.

Mr. Daves offered in evidence that part of the book showing all the entries on that date; and the same was marked Exhibit 46, and was as follows:

[EXHIBIT 46.]

THE PACIFIC EXPRESS COMPANY.

ABSTRACT OF WAY-BILLS, AND MESSENGER'S RECEIPT FOR SAME.

Forwarded from No. 290, Oct. 18, 1888. Office, ———, 188—.

No. of bill.	Date, 188—.	To	Advance charges.	Our charges.	Total collect.	Prepaid.	Signature of messenger.
		Tyro.....		15		15	Emert.
		Sedan.....		25		25	
		Peru.....	1 30	25	1 55		
		St. Louis.....		70			Jimison.
		Denver.....		16 50			
		Pueblo.....		5 00			
		Colo. Spg.....		4 40			Shaffer.
		Leroy.....	50		50		
		St. Louis.....		90	90		
		Honey Grove, Tx.....	60		60		Apd. }
		K. C.....		30	30		
		Oswego, Ks.....		25		25	
		St. Louis, Mo.....		3 65	3 65		Apd. }
		Caney.....	3 00	65	3 65		
		Tyro.....		15		15	
		Winfield.....		25	Exploded.	25	

Q. Please state to the Committee how many articles that this book shows were delivered to the express messenger on that date? A. This page I see is not all signed by the messenger.

Q. The receipts of the messengers show that they received upon that date how many packages? A. There are thirteen entries that are signed for by three different messengers.

Q. And the box which it is claimed contained dynamite was not not among those receipted for, is it? A. No, sir.

Q. Does the book show any packages not receipted for by the messenger? It shows three packages—there were three packages not receipted for by the messenger.

Q. The very last one of those not receipted for by the messenger is the record of the one sent, or purporting to have been sent, by P. Jason to L. Loudon at Winfield? A. Yes, sir.

Q. In whose handwriting is that entry, Mr. Upham? A. The single package?

Q. Yes, sir. A. My handwriting.

Q. I see after the charge of 25 cents the word "exploded," written in pencil, I believe; in whose handwriting is that? A. I think that is in Mr. Kyle's handwriting, the route agent's; it is not in my handwriting.

Q. Then the book shows in all sixteen packages on the messenger's receipt book of that date? A. Sixteen entries; each entry does not indicate a package; there might have been a number of packages to each entry. That is the reason they do not correspond here. Each line indicates one entry; it does not always indicate one package, because each way-bill might have several packages entered on the same way-bill going to the same place.

Q. Calling your attention to exhibit 45, which is the office record book or forwarding book, I would ask if the entry, "P. Jason to L. Loudon, Winfield," is the original entry—the first entry made of the receipt by you of the package which it is claimed exploded? A. Yes, sir.

Q. Is that the entry you made before you went home to dinner? A. Yes, sir.

Q. Mr. Upham, you may look at the letter you hold in your hand now, and state whether you have seen it before? A. Yes, sir.

Q. Where? A. Coffeyville.

Q. How did you get it? A. Through the mail.

Q. Addressed to you? A. Yes, sir.

Q. And you received it prior to going east to find employment, did you? A. Yes, sir.

Q. The party whose name is signed to this letter is A. Cheney, about whom you have testified heretofore as assisting you in getting employment? A. Yes, sir.

The letter was marked "Exhibit 47," made a part of the record, and was as follows:

[EXHIBIT 47.]

UNITED STATES [Cut.] EXPRESS COMPANY.

OFFICE OF DIVISION SUPERINTENDENT.

A. CHENEY, *Superintendent*
New England Division. }

BOSTON, MASS., NOV. 16, 1888.

H. M. Upham, *Agt. Pacific Express Co., Coffeyville, Kas.*—DEAR SIR: Yours of Nov. 10 at hand. When you get ready to come east please advise me. I guess there will be no trouble in finding something for you to do, either in this office or in my division.

Yours truly,

A. CHENEY, *General Supt.*

The witness was excused.

GOVERNOR HUMPHREY, being recalled for further examination, testified as follows:

Examined by Mr. Dawes: Q. Governor, you may examine this letter and state whether you have seen it before? A. I have.

Q. Where? A. In my office.

Q. Is that the envelope in which it was received at your office? A. Yes, sir; it is.

Q. Did you get it through the mail? A. Yes, sir; through the mail.

Q. Do you know whose handwriting it is in? A. I do not, sir. I do not recognize the handwriting.

Q. You got it along with other correspondence, did you, in the regular course of the mail? A. In the office mail, in due course of delivery.

Mr. Dawes offered the letter in evidence as identified by Governor Humphrey as being received by him, and said: We do this, not because we believe it will throw any light upon the Coffeyville explosion, for we believe the letter to be a fraud or canard gotten up and sent through the mails by some person, for reasons unknown to us; but we offer it because it was received through the mails by Governor Humphrey, one of the parties who has been charged with having something to do with the Coffeyville explosion; and because the contents of said letter are wholly directed toward the Coffeyville explosion, and for the further reason that said letter, being received by Governor Humphrey, he desires to place it in the hands of the Committee, that they may take such action in regard to it as they may deem fit and proper.

The letter was marked Exhibit 48, and was as follows:

(EXHIBIT 48.)

COFFEYVILLE Mar 19

Gov Humphrey Topeka—DEAR SIR I must tell you about the dynamite explosion I cant keep it any longer. I am the man that took the box to the express office at Coffeyville. It was this way—I was a republican and I hated the Vincents and I thought of a skeme to rid the country of them I did not tell any one—and no one knows anything about it but me—I was going to take the stuff over their myself and then plan to do it when I got there I bought the stuff at Independence It was four sticks of dynamite a peace of fuze and two caps and a bottle of sulphuric acid I packed them in a box with some bran. I also had some matches rapped in a peace of paper. I thought I would go from Winfield from Coffeyville I could leave in the afternoon—but I could go till early next morning and I was badly dissappointed I did not want to keep the box all day and night so I took it to the Express office to get rid of it and I intended to go over on the same train and then get it. I staid around town until I heard some one say there was a fire and I thought I would go but when I got not far from the house some one said it was an explosion of dynamite or something I got scared then for I thought of my box—I went on strait by the crowd and walked down in the Nation a peace and staid till dark and then went to town and found out the trouble—I left that night and went to Chetopa and my whickers all cut off—I live in this state but I am not a republican any more. I voted the alliance ticket. the bottle of acid must have broke or the matches afire—I have felt awful bad but I dasent say a word—Of course my name is not

P. JASON.

I am the only person who knows anything about it.

The envelope was also offered in evidence. It was marked Exhibit 49, and was as follows:

[EXHIBIT 49.]

[Post-mark:]

COFFEYV—, KANS.,
Mar. 20, 1891.

GOV. HUMPHREY,

TOPEKA,

KANS.

[Post-mark on reverse side of envelope:]

TOPEKA, KANS.,

Mar. 22—4 P. M.

Rec'd.

Q. Governor, state to the Committee about when you received this letter. A. Why, it was something like a week or ten days ago, I should think.

Q. Just recently? A. Yes, sir; during the past month.

Q. Now, governor, when you were on the witness stand before, I believe you were asked to search for or have search made for certain correspondence between yourself and Ed. Greer, and to produce the letters here before this Committee; I would ask if you have had the search made. A. I have.

Q. Did you find among the files of your office any of that correspondence? A. I did not.

Q. You may state to the Committee what search, if any, was made, and how it was made, and by whom. A. By Mr. McCray, who is the executive clerk, and who has custody of the files and correspondence of the office at my direction; by Mr. William Smith, in the office, who assists in that work.

By Mr. Henderson: Q. Did you yourself make any search for the correspondence between yourself and Ed. Greer and others as promised by you when upon the witness stand? A. I did.

Q. What search did you make? A. I directed the executive clerk in the office.

Q. I am talking about your individual capacity. A. You did not put it in that way, Mr. Henderson.

Q. What search did you make? A. After Mr. Smith had searched the letter-press copies covering a number of months about the time to which reference was made, without being able to find any letter from myself to Mr. Greer, I took the letter-press books and looked through the index myself with the same result. I did not examine every page of the letter books—I had more important business; and after the search by Mr. McCray and Mr. Smith, made more than once at my request, I accepted the conclusion that there was no such correspondence.

Q. Did you only search the index of your letter book? A. Personally, that was the only search I made.

Q. Did you look through your letter books of July and August? A. I looked through the books for June, July and August.

Q. Did you look through the letter books themselves? A. I did not examine the pages.

Q. Did you not promise this Committee to make a search for the correspondence between yourself and Mr. Greer?

Mr. Dawes objected to the question, as the record would show for itself. The objection was sustained.

Q. Do you know whether each and every letter, a copy of which is contained in your letter book, is indexed? A. Why, it is intended that it shall be. I do not pretend to say that every letter is indexed. I do not do the work myself.

Q. Then your answer would be, you do not know? A. To my own knowledge I do not know. In the correspondence of six or seven thousand letters a year, it would be hardly possible for me to make such a statement.

Q. Did you have six or seven thousand letters during the year 1889, pertaining to that Coffeyville dynamite explosion? A. Oh, no.

Q. How many did you have? A. I do not recollect now.

Q. Have you not heretofore said you received two or three? A. I said if I recollected right, I was under the impression that Mr. Greer and I had had some cor-

respondence upon the subject. I was under that impression until I made the examination.

Q. Out of the six or seven thousand letters, none of them had as much importance as this question, politically speaking, did it? A. The bulk of my correspondence is not of a political character; it is business. It might be a conclusion about which men would differ as to the comparative political importance of the Coffeyville business and other matters.

Q. The incident itself impressed the fact upon your mind with considerable force, did it not? A. The desire which I felt, in common with all good citizens, to ascertain, if possible, who might be guilty of that outrage, impressed itself upon my mind a good deal.

Q. Was you impressed by the fact at that time that the colored people of your county [meaning Montgomery county] was instructed to lay all the blame of the Coffeyville explosion to the union labor party? A. I was not aware of anything of that kind.

Q. Did you not have a conference with any colored men who spoke in the campaign, when you was first elected in 1888? A. Upon what subject?

Q. Political subjects. A. I do not recall any conference that I had with any colored people specially.

Q. Do you know W. A. Price, of Chautauqua? A. Yes, sir.

Q. Did you not have a conversation with him in 1888, pending the campaign of that year? A. I have no recollection of meeting Mr. Price during that campaign, although it is quite likely I did, in company with thousands of others.

Q. Did you not instruct him as to the kind and character of speech to make that fall, after the Coffeyville explosion? A. I do not remember of seeing him after the Coffeyville explosion.

Q. You say you did not? A. I am not positive I did not see him; I am positive I did not instruct him as to what he should say during the campaign.

Q. Did you see him during the campaign? A. I have no recollection of seeing him.

Q. You say you did not see him? A. I do not say that; I may have seen him. I do not recollect it.

Q. Have you in your possession the petition presented to you for the appointing of Mr. Cougher as commissioner of the labor bureau? A. If I have it, it is among the files of my office.

Q. Have you seen it since you was upon the witness stand last? A. I have not.

Q. Will you present to this Committee that petition? A. Why, if it can be found, I will send it up by my clerk.

Q. You will do that, will you? A. Yes, sir; if there is such a petition on file, I have no personal recollection of it.

Q. Have you any letters in your possession, or communications, with reference to the appointment of C. A. Henrie as assistant labor commissioner of the labor bureau? A. I have no recollection of any letters of that kind; there may be some.

Q. If you have any, will you produce them before this Committee? A. I have no objections.

The witness was excused from further attendance upon the Committee.

The petition referred to was afterwards delivered to the Committee, with a note to the effect that there were no other papers in the governor's possession, or on file in his office, relating to the matter. The petition was marked "Exhibit 50," and was as follows:

[EXHIBIT 50.]

TOPEKA, KANSAS, Feb. 19, 1889.

TO THE GOVERNOR: In recognition of the qualification, services and personal worth of Mr. John G. Cougher, the undersigned cordially recommend him to your favorable consideration for appointment to the office of commissioner of labor statistics.

HENRY BOOTH, Chairman Republican State Central Committee.
 BION S. HUTCHINS, Secretary Republican State Central Committee.
 J. L. SENIOR, 15th Senatorial District.
 JOHN C. RANKIN, 16th Senatorial District.
 F. E. GILLET, 37th Senatorial District.
 J. G. MOHLER, 31st Senatorial District.
 F. P. HARKNESS, 20th Senatorial District.
 R. L. WALLER.
 O. H. BENTLEY, 29th Senatorial District.
 W. C. HOWARD, 17th Senatorial District.
 F. M. LOCKARD, 34th Senatorial District.
 E. H. BERRY, 22d Senatorial District.
 J. W. RUSH, 39th Senatorial District.
 JOHN KRAUGH, 20th Senatorial District.
 W. A. GEBHART, Asst. Sec. Republican State Central Committee.
 R. W. M. ROE, 14th Senatorial District.
 T. M. MCCARTHY, Auditor of State.

I am in favor of bouncing Betton, but don't know this man, yet he suits me; anything to get rid of Betton.

W. P. HACKNEY.
 HILL P. WILSON, 40th Senatorial District.
 C. H. KIMBALL, 10th Senatorial District.
 R. M. EMERY, 21st Senatorial District.
 R. R. HAYS, 35th Senatorial District.
 J. H. MECHAM, 33d Senatorial District.
 W. W. Martin, 7th Senatorial District.

Mr. Curtis said: We desire to have the evidence, without having it repeated in the record, of Mr. Sam. C. Elliott, Mr. O. P. Ergenbright, Mr. E. P. Greer and Governor Humphrey, as introduced on the part of the prosecution, made a part of the defense; and with this evidence considered as the same as if introduced in behalf of the defense, we rest our case.

Mr. Henderson said: We certainly have no objection to this evidence being considered as a part of the evidence for the defense. In addition thereto, it is understood that Governor Humphrey will produce the petition signed by 18 persons, ask for the appointment of Mr. Cougher as labor commissioner; also, all communications had between himself and Senator Buchan and others, as to the person who was appointed to that position, and the conditions upon which Mr. C. A. Henrie was made assistant.

Mr. Curtis stated that there was no objection to such of those papers as could be found being introduced and considered a part of the cross-examination of Governor Humphrey.

Chairman Carey inquired if the defense desired to offer any further testimony. Mr. Dawes stated that the defense rested.

EVIDENCE IN BEHALF OF THE PROSECUTION, IN REBUTTAL.

J. A. Wood, being duly sworn, testified as follows:

Examined by Mr. Henderson: Q. You may state your name to the Committee.

A. J. A. Wood.

Q. Where do you reside? A. Coffeyville.

Q. What business or profession are you engaged in? A. I am a physician.

Q. Are you acquainted with Henry Upham and his family? A. Yes, sir.

Q. Do you remember of being at his residence on the 18th day of October, 1888?

A. I do.

Q. Were you one of the attending physicians upon his family after the explosion? A. Yes, sir.

Q. Now, I will ask you to state in your own way to this Committee the condition in which you found Mrs. Upham and Miss Mabel; and the wounds which they had received; and the cause thereof, if you know. A. I was not in attendance upon Mrs. Upham during the first four days after the explosion.

Q. When you was called there, what did you find? A. I was placed in charge of Miss Mabel within three or four hours after the explosion occurred. I was there a short time afterward, but was not employed until late in the evening as her physician.

Q. Tell the Committee in your own way, without any questions, just what you found the condition of the wounds; and if any foreign substance was extracted from the wounds, please state to the Committee what it was. A. Do you want me to describe the wounds and their character?

Q. Yes, sir. A. I was down in town, perhaps a half a mile distant from the house, when the explosion occurred. I heard an alarm, and supposed it to be fire, and started to walk toward the house, and arrived there after a moderately rapid walk. I went into the house and found the room full of people, and the injured girl, Miss Mabel, lying on the floor. A number of persons stood around her, and I got near to her along with the rest, and did what I could in seeing what her condition was at that time. Later in the evening—this was perhaps not later than 5 o'clock; not quite 5, I think—perhaps 9 or 10 o'clock in the evening, I first made an examination of her wounds. I found first her ankle badly injured, the bones fractured. From the larger one of the two bones of the ankle, I found about an inch and five-eighths was entirely gone; there were very extensive flesh wounds; the small bone was fractured, but no part of it missing. There were numerous small wounds—skin and flesh wounds—on the feet below the injured ankle, but not serious ones. The next wound examined was on the thigh, on the inside of the right limb. I found there a flesh wound about five and one-half inches long and four and one-half inches in width; the flesh was entirely torn away, exposing the femoral artery—the large artery of the thigh. On the body above that were numerous small wounds not of a very serious character. The face had numerous bruises or punctured wounds; and one just above the right eye, from which I removed a piece of glass about an eighth of an inch in diameter; also, upon the left limb I found two very serious wounds, one where a charge had entered just at the top of the knee, just above the knee, and passed three and a half inches upward beneath the external muscles; above that a little distance, a skin wound, which was about four and one-half inches in length, passing upwards and inwards. That was in the left limb, and in these two wounds I found quite a large quantity of foreign matter, also, in the numerous wounds in the left limb below the knee. In the left side of the limb, there was a wound nearly at right angles with the bone; in this I found a

considerable amount of foreign matter also. Now, in this fracture of the bone of the right ankle, I found large quantities of matter; and did not succeed in removing all of it for seven or eight days. The bone was fractured and part of it blown away entirely. There were a few pieces left, but some of the pieces of bone were gone and were never found. From some of the wounds I removed bran, and small shreds of goods which I supposed to be from her clothing or dress, and from a small wound near to the larger one, a little piece of metallic substance. I do not know what kind of metal it was. It was perhaps less than one-sixteenth of an inch thick and nearly an eighth of an inch in diameter. I believe that the piece of glass was from the wound above the eye. These, with the wood fibers, shreds of goods and some bran, or it seemed to be that, were all I found in Mabel's wound.

Q. Did you at any time after the accident have occasion to examine the wounds of Mrs. Upham? A. Yes, sir; I think perhaps it was on the Monday afterward that Mrs. Upham was placed in my charge; and the next morning, Tuesday morning, I submitted her to an examination, and treated her from that time on.

Q. You may state to the Committee what foreign substance, if any, was found in the wounds of Mrs. Upham. A. I found bran and chopped oats, some wood fiber and shreds of cloth of some kind.

Q. How long did you attend the persons you have named—Mrs. Upham and her daughter Mabel? A. I think they were in my care something like six months.

Q. How long have you known the family? A. I have known them, I think, since the summer of 1884, perhaps, but had a very slight acquaintance with them until this occurrence.

Q. From your personal knowledge, what has been the relation existing between Mr. Upham and his wife during the period of time that you have been acquainted with them? A. So far as I know, it has been very pleasant; seemed to live very happily together.

Q. At the time you were treating Miss Mabel, did you have any conversation with her with reference to the accident in question? A. Yes, sir.

Q. You may state to the Committee what it was and when it was. A. I cannot state exactly when it was. I think about ten days after this occurred, eight or ten days. When I felt that she had fully recovered from the shock and returned to consciousness, after I was through dressing her wounds in the morning and was still sitting by her bedside, I asked her the question if she knew what it was that hurt her? She said she did not know anything about it. I said nothing more to her at that time, but on the morning following, when I got through dressing her wounds, she said, "Yes, Doctor, I remember the question you asked me yesterday morning about what hurt me, and I can tell you all about it now;" and she went on and told her story about it to me.

Q. Repeat to the Committee what she said. A. She said she came home from school, and she and her mamma went into the dark room—the place where Mr. Upham was operating, to look at a picture, a negative, or something that he was preparing; that she and her mamma were standing very close together, side by side; and she said there was a little box sitting there on the floor, and her mamma hit it with her toe; and, she said, there was a sizzling noise, and it exploded, and that was the last she knew.

Q. Now I will ask you to state to the Committee if you examined the wounds received by Mrs. Upham. A. Yes, sir; I did.

Q. You may describe to the Committee the character of the wounds and the limbs that were wounded? A. It was Mrs. Upham's left side, the lower and upper limbs—leg and arm, that were wounded. Her foot was very badly torn up and the flesh all blown off the top of the foot, and four of the tendons or muscles were cut

away entirely. The foot was damaged clear around the heel; the flesh was blown off the heel, but not gone, just torn loose; also, the fleshy part of the leg. The charge, or whatever it might have been, passed in down near the ankle, and seemed to pass up under the muscles of the leg—of the calf of the leg to use a common expression, so that they were entirely separated from the body of the limb, but not torn away. The wound extended from the ankle up almost to the knee bone, on the back part rather, or the left side of the knee bone.

Q. What other wounds did you find? A. What was regarded as the most serious or dangerous wound that she received was under the arm.

Q. Describe that to the Committee. A. I found under the arm a punctured wound about an inch in diameter at its entrance, and extending upward about four and a half inches under the shoulder. In that wound I found a very large quantity of bran and oats—seemed to be chopped oats—some wood fiber in that, and a small quantity of substance that I do not know what it was. Near to that was another wound of the same character, but not so large; in that was a large quantity of the same kind of matter that I found in the first one—bran, oats, etc.

Q. Are you able to describe to the Committee the character of the wood fiber which you found in the wound? A. I do not know what the wood was—what kind of wood.

Q. I mean the character; whether large or small. A. There was fiber; it seemed to be in pieces or bunches about five-eighths of an inch long, some shorter and some longer. I found considerable of that, and it seemed to be in small pieces, frequently connected through the center, or bound in the form of shreds of fiber connected.

Q. Were you able to discover the character of the wood? A. I did not discover it. I do not know whether I ever made any attempt to do that or not. I do not remember that I did.

Q. Was the character of the wood you found there, Doctor, such as is known as excelsior? A. I do not understand what that means, sir.

Q. Something like that which is used in making mattresses. A. No, sir; it seemed to me it had some of the appearance of a piece of wood sawed off from the end of a board.

Q. And it was not this shaving business? A. No, sir.

Q. How long did you wait upon Mrs. Upham and her daughter? A. I think it was nearly six months. I had them in charge until they went east in April.

Q. Mr. Upham didn't run off and leave them did he? A. I think not.

By Senator Kimball: Q. In this conversation that you had with Mabel and which you have related, was there anything said by her which indicated to you that she had been talking with anyone else about the matter, prior to the conversation, and subsequent to the question which you asked her on the previous day? A. No, sir, there was not; and more, it would have been very difficult for her to have talked with anyone else without my knowing it. I was with her the first four or five days so nearly constantly day and night it would have been difficult for her to have talked with anyone without my knowing it.

Q. She could talk with anyone else as well as you? A. Yes, sir, at that time.

Q. And did you leave the house and go to your meals? A. I took my meals in the house.

Q. Did you not leave the house at all? A. I did once or twice to go down to my office, and took dinner at a restaurant, but that was before she was in a condition to talk at all.

By Mr. Dawes: Q. What time of day was it, Doctor, when you first asked her what caused her injuries? A. It was sometime in the morning.

Q. In the morning? A. Yes, sir.

Q. And at that time she said she did not know what it was? A. Yes, sir.

Q. Was she apparently rational at that time? A. Yes, sir.

Q. Seemed to be as rational as the next day? A. Her manner indicated that the cause of her injury had not occurred to her mind up to the first time.

Q. But didn't she seem to be as rational the first time you asked her as the next day? or was she not? A. I think she was.

Q. And the next day she voluntarily without your asking her, suggested that she then remembered what it was? A. Yes, sir.

Q. And proceeded to tell you? A. Yes, sir.

The witness was excused from further attendance.

I. M. WALDROP, being duly sworn, testified as follows:

Examined by Judge Webb: Q. Where do you reside? A. At Valeda, in Labette county.

Q. How long have you been residing there? A. About four years.

Q. What is your business? A. I am agent for the Missouri Pacific Railroad and Pacific Express Company.

Q. Do you remember hearing, about the time of its occurrence, of the explosion which occurred at Coffeyville in October, 1888? A. Yes, sir.

Q. Do you remember when or how soon after the explosion you heard of it? A. I presume I heard of it first by the eastbound train of the same night, but I am not positive as to that, though.

Q. Were you upon that occasion occupying the same position you do now. A. Yes, sir.

Q. You were then the agent at Valeda? A. Yes, sir.

Q. That is a station on the Missouri Pacific road? A. Yes, sir.

Q. What time did the train then go east from that station? A. 10:36 P. M., I think.

Q. 10:36 in the evening? A. Yes, sir.

Q. Do you remember having seen any gentlemen who were strangers to you at the depot there upon that day at any time while you were there? A. Yes, sir; that evening.

Q. About what time in the evening did you first observe them, as you now remember? A. I think it was after it was getting dark in the evening.

Q. Where were they? A. They were on the platform of the depot.

Q. How many of them? A. Two.

Q. Did you see anything of them after the train had gone east that night? A. No, sir.

Q. When did you come here, Mr. Waldrop? A. You mean to this city?

Q. Yes, sir; upon this occasion? A. I came in here about 10:15 Monday.

Q. Was that your first visit to this city? A. The first time I was ever in Topeka; yes, sir.

Q. How soon after you arrived in the city did you appear here in the Senate chamber? A. Not until afternoon. I guess it was just about noon, we ate an early dinner.

Q. Have you seen any gentleman here since you came whom you recognize as one of the men whom you saw at Valeda on that day? A. Well, not positively; but this gentleman you call Mr. Henrie looks very much like one of the gentlemen at the depot.

Q. If he is here, point him out. A. This gentleman right here [pointing to Mr. C. A. Henrie]; there is some little difference, however.

Q. Where did you first see him, meaning Mr. Henrie, after you arrived in Topeka on Monday? A. Sitting about where that gentleman is [pointing to Mr. Dawes].

Q. Where were you? A. Very near where Mr. Highleyman is sitting.

Q. I will ask you to state if you were advised before you came into the room that Mr. Henrie was in this room? A. Yes, sir. Well, I will answer that a little different. There was no name mentioned. They just simply—a gentleman said to me that a man suspected of being at my station was in this room.

Q. You came in then? A. I came in.

Q. I will ask you to state whether anybody was designated or pointed to you as the man suspected? A. No, sir.

Q. Upon coming into the room, you were asked to observe the persons who were here, and if you could recognize any one of them, to designate and point him out, were you? A. Yes, sir.

Q. Now state what you did afterwards. Just state what you did after you came into the room. A. I came in from the east entrance there, and stood there a while so I could get a view of all in the room. After standing there probably ten minutes—I do not remember just how long; probably that length of time—I concluded that this gentleman here [pointing to Mr. Henrie] filled the bill, as near as I could recollect, as the gentleman who was at my office in 1888.

Q. You say you are not able to assert positively that Mr. Henrie is the gentleman—here is the man—whom you saw at the station at Valeda? A. No, sir; I could not say positively.

Q. After having observed Mr. Henrie here, and instituting such comparisons in your mind as you are able to do, what is your best judgment as to whether he is one of the men whom you saw on the 18th of October, at Valeda? A. Well, I rather believe he is.

Q. The train, you say, left at 10—what, in the evening? A. 10:36 in the evening.

Q. That train passing to the east was destined to where?—what was its eastern destination?—where did it go to? A. It went to Nevada.

Q. Did it go over the Minden road from Chetopa to Nevada? A. Yes, sir.

Q. And would connect there with what trains? A. The Missouri Pacific running from Nevada to Kansas City.

Q. And if close connections were made, what would be the time of its arrival in Kansas City? A. Either at 7 o'clock or a little after 7 in the morning.

Q. So that a person taking that train at your station would have made connections at Nevada and reached Kansas City at 7 o'clock, or a little after, the next morning. A. Yes, sir.

By Mr. Dawes: Q. And the first person that you talked to about this matter on arriving at Topeka was Mr. Highleyman? A. I think so.

Q. Is that the gentleman over there [pointing to Mr. Highleyman]? A. Yes, sir.

Q. When were you subpoenaed? A. On the 29th day of last month. I think it was the 29th.

Q. And you came here Monday? A. Yes, sir.

Q. How long before you got to this room here before you met Mr. Highleyman? A. I met him in the hall.

Q. What time in the evening was it that you saw the two gentlemen at Valeda? A. It was after I came from supper; it was becoming dark.

Q. And had you at that time heard of the explosion at Coffeyville? A. I do not think I had. I am pretty sure I had not heard of it.

Q. How long after that was it until you did hear of it? A. I think it was that evening; I am not positive about that.

Q. You are not positive whether it was on the 18th or 19th that you heard of the explosion? A. Yes, I am; I heard of it the same day it happened.

Q. And you think it was this same day that you saw these gentlemen there? A. I am pretty positive it was the same day the explosion took place. I could not say, it has been so long, whether the explosion was on the 18th or 19th.

Q. And it was getting rather dark at the time you saw those gentlemen there? A. Yes, sir.

Q. Did you have any conversation with them? A. Yes, sir; I had quite a conversation with one of them.

Q. Which one? A. The one I took this gentleman to be—meaning Mr. Henrie.

Q. Purchase tickets there, did they? A. No, sir; they asked the price of tickets, but did not purchase.

Q. Were they in the office at any time? A. No, sir.

Q. Outside? A. In the waiting room.

Q. Any light in there? A. Yes, sir.

Q. In the room where they were? A. Yes, sir; I lighted it after I came from supper.

Q. Were they in there after the light was lighted? A. Yes, sir.

Q. So you could see them very plainly? A. Yes, sir, I saw them very plainly.

Q. Did you pay any particular attention to them? A. No, sir; not any more than I would to anyone who came in.

Q. And there were strangers coming in there every day? A. Yes, sir.

Q. You are the ticket agent, as well as the express agent? A. Yes, sir.

Q. You had a talk with Mr. Clifford in regard to these parties, didn't you? A. I think so.

Q. And also a talk with Sheriff Connor, of Cowley county? A. No, sir, I guess not.

Q. Look at that gentleman back there [pointing to Mr. Connor], and tell us if you did not have a conversation with him about it? Q. Possibly; if I did, I do not recollect it.

Q. Well, shortly after the explosion, I would ask you if you did not have a conversation with Sheriff Connor—that gentleman sitting back there? A. I cannot recollect; I possibly did. There were a good many came in to inquire about the transaction.

Q. And did you not at that time tell him that at the time they were there it was pretty dark, and you did not pay much attention to them, and that you could not give him very much of a description of these parties? A. I do not recollect of making the statements that you say.

Q. You won't say whether you did or did not? A. I do not recollect it.

Q. Did you say at that time to Sheriff Connor you did not see the gentlemen at all after the departure of the train that night? A. No, sir; not the east-bound train; I certainly did not.

Q. Can you give us a description of either party? A. I think so.

Q. Let's have it? A. Well, the other party, as I recall it, was of medium height; and, in fact, there was not much difference in the height of the two men, a medium-sized man, probable weight 135 to 140 pounds, he had a coarse beard on his face of probably of a week or two's growth. I did not notice particularly enough to tell exactly. I think he had on a dark shirt, a dark coat and vest, looked rather shabby, and a small hat. I did not pay near so much attention to him as I did to the other man, because the other man did a good deal of talking, and the other did not.

Q. What color was his hat? A. I think dark.

Q. What color was his coat? A. Dark.

Q. What color was his pants? A. They must have been dark.

Q. And a dark shirt? A. Yes, sir.

Q. And the evening was dark? A. Yes, sir.

By Mr. Henderson: Q. Have you seen the so-called sheriff Connor within the last two weeks? A. No, sir; if I have, I have just seen him in the room here.

Q. Has he been at your station within the last two or three weeks to your knowledge [pointing to Mr. Connor]? A. He has not to my knowledge.

Q. These parties, whom you have described, came to your station prior to the arrival of any train—that evening, I mean? A. Yes, sir. I want to modify that; a freight train had just gone east.

Q. How long after the freight train had gone east until you saw the parties whom you have described? A. I forget the exact time.

Q. About what time? It was an hour or two—or two hours probably.

Q. They came into the room there—that is the sitting room of the depot? A. Yes, sir.

Q. And the gentleman whom you have identified as Mr. Henry commenced conversation with you? A. Yes, sir.

Q. And your attention was directed to him by reason of the fact that you were in conversation with him? A. Yes, sir; more than any other thing.

Q. To what particular point did he ask you for tickets, if any? A. He inquired the price of tickets to Chetopa, also asked me when he could get connection there with any other train.

By Mr. Dawes: Q. How far is it from Coffeyville to Valeda? A. It is a fraction over twelve miles.

Q. How far is it from there to Nevada? A. It is less than one hundred miles; I do not recollect exactly.

Q. That is Nevada, Missouri, you are speaking of? A. Yes, sir.

Q. Now, did you not have a conversation with this sheriff Connor, of which I have spoken, sometime shortly after the explosion at Coffeyville, in which you stated to him that one of the men was a large man, and the other man was smaller? A. I think not.

Q. And the large man was about 54 years old? A. I do not recollect making any statement of that kind, but I could explain in one respect.

Q. All right. A. The gentleman I selected here in the room to be one of the men, I would make the statement that he don't appear to be as large as that party would appear.

Q. Mr. Henrie don't seem to be as large as the party you talked to? A. He fills the bill so far as height is concerned, but not so fleshy as that man appeared.

Q. Did that man have a beard? A. Yes, sir, a week or so growth on the face.

Q. They both had them? A. They both had neglected shaving.

Q. Was it not four or five weeks' growth? A. Not unless it was slow growth. One of them, however, had a shorter beard than the other.

Q. Which one had the shorter beard? A. The one that conversed with me.

Q. And if you speak of one of them being a large man it was the gentleman you took for Mr. Henrie that was the larger man? A. He was rather the larger of the two.

Q. And the gentleman that you talked to was rather fleshy and heavy set? A. Well, no, not very heavy set, but his face seemed to be fuller than this gentleman's.

Q. And he seemed to be fleshier every way? A. I think so.

Q. Who subpoenaed you? A. I do not know the gentleman's name; I have a copy of the subpoena.

Q. Have you seen the other fellow here since you were here? No, sir, nobody that resembled him.

Q. Was he a dark-complexioned man? A. Yes, sir.

Q. Dark eyes? A. I think so.

Q. Dark clothes? A. Dark clothes.

Q. Mr. Henrie had on dark clothes, or the man that you took for Mr. Henrie?
A. Yes, sir.

Q. Dark coat, pants and vest? A. They appeared to be dark brown.

Q. Dark hat? A. Yes, sir; but it has been so long ago——

Q. Pretty hard matter to state anything about it, if it was so long ago? A. Yes, sir.

Q. And there was nothing to direct your attention to them at the time? A. Nothing more than the conversation.

Q. And there was nothing particular to call your attention to these parties, was there? A. Nothing more than the conversation; just the same as any other parties.

Q. And there were other parties you conversed with that day? A. Yes, sir.

Q. Could you describe them now? A. I possibly could not.

By Mr. Carey: Q. If you were brought face to face or asked to pick out a man you saw that day, could you pick him out? A. If my mind were directed to some particular transaction had with him on that day I certainly could.

By Mr. Crumley: Q. You pointed out Mr. Henrie without him being described or told who he was? A. Yes, sir; there was no description given, or any name given.

Q. As being the man? A. To my best judgment.

By Mr. Henderson: Q. Is it not a fact that at the time you looked over the room at the parties who were sitting in the room, that the person with whom you were then in conversation did not understand the person whom you pointed out, and understood that you meant Mr. Curtis? A. That is this gentleman here [pointing to Mr. Curtis]?

Q. Yes, sir. A. I believe he asked me if that was the gentleman I meant. I told him no, it was the man on the right.

Q. Whom did you mean by the man on the right? A. That gentleman over there [pointing to Mr. Henrie].

Q. Mr. Henrie? A. Yes, sir.

Q. You know the Vincent brothers, of Winfield? A. No, sir.

Q. Did you ever have any conversation with them? A. Not until this morning; one of them introduced himself to me.

Q. Do you know Henry Upham? A. Yes, sir.

Q. How long have you been acquainted with him? A. Just met him a few times. I never was thoroughly acquainted with him.

Q. Both in the same business? A. Yes, sir.

Q. Working for the same company? A. Yes, sir.

By Mr. Senn: Q. Your attention was called to these two gentleman soon after the explosion at Coffeyville? A. Yes, sir.

Q. So that would have helped you remember them? A. That fixed the event in my mind.

By Senator Kimball: Q. By whom was your attention first called to these two men? A. I do not know as I could say. Do you mean to ask me by whom I was informed of the explosion?

Q. Yes, you may answer that. A. I do not know as my attention was called to them at all.

Q. Did you not just a moment ago say to Mr. Senn that your attention was called to these two men soon after the explosion, and that helped to fix the matter in your mind in regard to them? A. I meant that in a different sense.

Q. Did you say it? A. I presume I did.

Q. Why is it you say now you didn't think your attention was called to them by

anybody? A. You did not give me a chance to explain. The way I aimed to answer that question, was, that my attention was called to these men by the fact that they had been there, and there had been an explosion, and that parties were there searching to find out any evidence that led to that explosion.

Q. What parties were there searching for evidence in relation to the explosion?

A. A good many; Mr. Clifford for one, and several other gentlemen I did not know.

Q. Did Mr. Clifford call your attention to these two men? A. He asked me if anyone had taken the train there.

Q. How long after the explosion was that? A. It was only a very short time; I think probably the next day..

Q. You remembered that, didn't you? A. That is what fixed the appearance of these men in my mind.

Q. Do you not remember that some one else, within a few days thereafter, asked you about whether there were any strange men there at your station soon after the explosion? A. I remember they did; Mr. Highleyman, I believe, asked me.

Q. But you do not remember of having any conversation with Sheriff Connor on the subject? A. I cannot fix that definitely; I do not remember him. He was a stranger to me.

Q. Did either of these men, in talking to you, give you a description of the man whom Mr. Upham said left the box at his office? A. That would be hard to answer; I do not know whether he did, or not.

Q. There were other men who bought tickets at your office that day beside these? A. I presume so.

Q. You cannot name any of them? A. There were no passengers took that train.

Q. You cannot describe any man who was at your station upon that day? A. No, sir; there were no passengers to take that late train; there was no one in there but just these two men and myself.

Q. You don't know whether these men you saw there took the train, or not? A. I do not.

Q. Did you give to anybody a description of the two men you did see there, and who took that train at or about that time? A. I think I gave Mr. Clifford a description.

Q. Do you remember what the description was that you gave Mr. Clifford of the men that you talked with? A. I think it was about as I have given it; that is my recollection.

Q. And you gave him that description more than two years ago? A. Yes, sir; I suppose there might be some little differences—I don't know.

By Mr. Henderson: Q. Was there a man that approached your station, or office, dressed in the garb of a railroad man, inquiring about the persons whom you have heretofore described? A. Not to my knowledge.

Q. Was there a man who came there, dressed in the garb of a stonemason, that inquired of you about this matter? A. I cannot tell; there were several inquired.

Q. Look at Jim Connor [pointing to Mr. Connor]; did you ever see that man before? A. I do not know that I could say. I asked somebody who he was.

Q. Did he have on these clothes, if you ever saw him? A. I could not say; I do not recollect of seeing the gentleman, although I might.

Q. If that man had came to your office and talked to you, would you have known him, provided he talked about the person whom you described in your testimony? A. Well, I might; I might have seen two or three together, and might have noticed one man more than the other.

Q. He never came there alone? A. I think not.

Q. I want to ask you if there was not a large man, with a gray suit of clothes

and a white hat, that came there the Wednesday following the explosion, and asked you about the parties that stopped there? A. Was he alone, or with some one?

Q. I asked you if that man stopped there. A. I cannot tell you now; several parties inquired. I could not say whether I ever met that man or not.

Q. Have no recollection of ever seeing him? A. Not until I came in here, and some one told me who he was. I think they said he was Dr. Connor.

By Senator Kimball: Q. Do you mean Dr. Connor, of Labette county? A. I never had seen Dr. Connor, or heard of him.

Witness was excused from further attendance upon the Committee.

J. W. CARTER, being duly sworn, testified as follows:

• Examined by Mr. Henderson: Q. You may state your name to the Committee.
A. J. W. Carter.

Q. Where do you reside? A. Winfield, Kansas.

Q. Are you acquainted with the firm of Hendricks & Wilson, of Winfield, Kansas?

A. I was acquainted with them while in business.

Q. Do you know the individuals? A. Yes, sir.

Q. Do you know where they did business in 1888? A. Yes, sir.

Q. What business were you engaged in during the fall of 1888? A. House-painter.

Q. Did you belong to any secret order in the city of Winfield? A. I did not.

Q. Do you remember of passing the place of business of Hendricks & Wilson during the fall of 1888? A. I do.

Q. Do you remember of passing there after business hours? A. Yes, sir.

Q. Do you remember of passing there often, or only occasionally? A. I was there almost every night.

Q. Did you, during any time that you have passed here, observe wheelbarrows or other articles of merchandise on the outside of the building after the business house had been closed? A. I have.

Q. How frequently have you observed that fact? A. From five to six nights a week.

Q. During the fall of 1888? A. Yes, sir.

Q. Do you know E. P. Greer? A. I do.

Q. Do you know Sol. Burkhalter? A. I do.

Q. Do you know or did you know Jim Cooper? A. I did.

Q. Did you know at that time, meaning the fall of 1888, where the place of business of Mr. Beard was? A. I did.

Q. Where was that with relation to the place of business of Hendricks & Wilson? A. The first door north.

Q. What occasioned your frequent visits there? A. For one, I am a constitutional loafer.

Q. Well, what other? A. In another, I had business that called me there nightly.

Q. Are you a member of the Odd Fellows' lodge? A. No, sir.

Q. Were you janitor of that lodge? A. I was.

Q. Did that occasion your frequent visits in that block? A. Yes, sir.

Q. But you frequently visited Mr. Beard's place of business? A. Five nights a week, at least.

Q. During which time you observed well-buckets, wheelbarrows and other articles of merchandise sitting on the outside of Hendricks & Wilson's after business hours? A. I sat in a wheelbarrow, I think, as much as four nights during the fall of 1888 every week.

Q. In front of Hendricks & Wilson's store? A. Yes, sir.

Q. How late? A. Well, from 9 to 1 or 2 o'clock.

Q. You had charge of that hall? A. Yes, sir.

Q. Did you know, or can you call to mind, the number of orders that met in the hall? A. I think there were seven.

Q. Can you name them? A. I do not know whether I can or not; I think I can name them, Mr. Henderson: Knights of Pythias, Odd Fellows, the National Union, the Select Friends, Grand Army of the Republic, the Rebekahs, and the Sons of Veterans.

Q. Masons? A. No, sir; and there is one other, I cannot call the name.

Q. Was it the Videttes? A. No, sir.

Q. Did you ever see Jim Connor there? A. No, sir.

By Mr. Crumley: Q. I would ask you to state why you sat in that wheelbarrow so late and so often? A. I was not a member of the associations that met in the hall, and after my work was done I was excluded from the hall.

Q. You waited until the lodge adjourned, and then you closed up? A. Yes, sir.

Q. All these orders did not meet every week, did they? A. Some of them were alternate.

By Mr. Dawes: Q. Along about the month of October, from the time lodges would meet, you did not find it very pleasant sitting out there in a wheelbarrow from 9 to 12 o'clock, did you? A. I did not sit in a wheelbarrow all the time.

Q. At that time of the year somewhere else? A. That time of the year some place else.

Witness was excused from further attendance upon the Committee.

H. U. CURFMAN, being duly sworn, testified as follows:

Examined by Mr. Henderson: Q. State your name to the Committee? A. H. U. Curfman.

Q. Where do you reside? A. Winfield, Kansas.

Q. How long have you resided there? A. Three years.

Q. Are you acquainted with E. P. Greer? A. Slightly.

Q. Are you acquainted with Mr. Volney Beard? A. Yes, sir.

Q. How long have you been acquainted with Mr. Beard? A. Well, I have been personally acquainted with him about three years.

Q. Have you at any time been in his employ? Yes, sir.

Q. At what time? A. During the fall of 1888.

Q. How long were you employed by him? A. I commenced work for him on the 23d of September, 1888.

Q. When did you cease working for him? A. The following July in 1889.

Q. Where was he doing business at that time? A. On Main street, between Ninth and Tenth.

Q. Were you at the time acquainted with the firm of Hendricks and Wilson? A. I was.

Q. Were you acquainted with their place of business? A. Yes, sir.

Q. I will ask you to state to the Committee, what their custom was as to leaving wheelbarrows, well-buckets, and other articles of merchandise, on the outside of their store after business hours? A. There were articles left out frequently.

Q. Can you now state during the fall of 1888, as to any articles of merchandise that were left outside of the building, after business hours? A. Yes, sir.

Q. You may state to the Committee what they were. A. There was a grindstone for one article, a wheelbarrow that remained there all fall, you might say; I never missed it, if it was taken away.

Q. Well-buckets? A. I think there was one or two instances when there were some left out.

Q. How frequently were these articles cared for by Mr. Beard, during the fall of 1888 [meaning the months of September and October of that year]? A. Two or three times that I remember of.

Q. You have, during the period I have mentioned, frequently observed wheelbarrows and well-buckets sitting on the outside, after Hendricks & Wilson had closed their place of business? A. No, sir.

Q. Occasionally you have? A. A part of these articles.

Q. What articles? A. Wheelbarrows and grindstones.

Q. Was that frequently, or occasionally? A. These two were frequently.

Witness was excused from further attendance upon the committee.

E. B. EMOY, being duly sworn, testified as follows:

Examined by Mr. Henderson: Q. You may state your name to the Committee.

A. E. B. Emory.

Q. Where do you reside? A. Winfield, Cowley county, Kansas.

Q. How long have you resided there? A. A little over four years.

Q. Are you acquainted with Mr. E. P. Greer? A. I am.

Q. Are you acquainted with Volney A. Beard? A. I am.

Q. Do you know the business in which Mr. Beard was engaged during the fall of 1888? A. I do.

Q. What was his business? A. Kept lunch counter; sold lemonade and peanuts; kind of a stand.

Q. Where? A. On the west side of Main street, Winfield, Kansas, between Ninth and Tenth avenues.

Q. Were you during the fall of 1888 acquainted with E. P. Greer? A. I was.

Q. I will ask you to state to the Committee if at any time during that fall you met Mr. Greer in the place of business of Mr. Beard? A. I did.

Q. If you are able to state the date, you may now do so? A. It was either the 9th, 10th or 11th; my best judgment is, that it was either the 9th or 10th of that year.

Q. What time in the evening was it? A. Well, it was late, I cannot state just the time.

Q. What was he doing when you met him in at Mr. Beard's place of business? A. He was eating a lunch.

Q. Can you not approximate about what time you met him there eating a lunch; what time in the night, of course? A. My best judgment is, that it was after 11 o'clock.

Q. That was upon the 9th or 10th of October, 1888? A. That is my best judgment.

By Mr. Dawes: Q. Was it not the night of the Henderson and Vincent debate? A. I think not.

Q. Was it the night after that event. A. It might have been the 9th; my best judgment is, that it was the 9th or 10th.

Q. It was the night after that debate, was it not? A. I rather think it was; either that or the next night—I am not positive about that.

Q. You have seen him there at other times, have you not, taking a lunch? A. My recollection is that I was eating a lunch when he came in, or he was eating when I came in—I am not sure which it was.

Q. And you have seen him there at other times? A. Yes, sir; I think I have.

Witness was excused from further attendance.

E. P. GREER, being recalled for further examination, testified as follows:

Examined by Mr. Henderson: Q. You are the same E. P. Greer who has been on the witness stand twice before? A. Yes, sir.

Q. You have testified in this case here before? A. I have.

Q. Since you have testified you have been in Winfield? A. I have.

Q. You are the editor of the Winfield *Daily Courier*? A. I am.

The witness was excused for the present, and the Committee adjourned to meet the following morning at 9 o'clock.

ТОРЕКА, April 2, 1891—9 o'clock A.M.

Committee convened pursuant to adjournment. Quorum present.

I. D. HIGHLEYMAN, being recalled for further examination, testified as follows:

Examined by Mr. Henderson: Q. I call your attention to the following question, found on page 250 of the record: "Is it not a fact that you never had in your possession enough evidence to convict anyone?" Now, I will ask you to state to the committee, what was your full and complete answer to that question? A. I think in addition to the answer that is printed I stated that, "At that time I was convinced that the party could not be convicted if he would come in and confess his guilt." That is as near my recollection of that as I can recall just now.

The witness was excused from further attendance.

E. P. GREER, being recalled for further examination, testified as follows:

Examined by Mr. Senn: Q. You have frequently charged the Vincents with being anarchists and socialists? A. Yes, sir.

Q. You are, and have been an editor for some years? A. Yes, sir.

Q. You have a fair knowledge of the English language, I suppose? A. Not technically, but reasonably fair knowledge as to the general acceptance.

Q. What is the definition of an anarchist? A. Whose definition?

Q. I mean the definition as it is generally supposed to be understood? A. I have given my individual definition of the word anarchists. I cannot repeat the technical definition of the word.

Q. You certainly have some idea of what the proper definition of the word is? A. I cannot give you anyone else's definition except my own.

Q. You, admit then, that you have used that word for years without any knowledge at all of what the proper meaning is? A. No, sir; I do not admit anything of the kind.

Q. Then give what you understand is the proper meaning of the word. A. I understand the proper meaning of the word to be one committed to a change in the social and political conditions of the country, by civil means, if possible, if not, by forcible means.

Q. Do you not understand that the gist of any definition of anarchy means, to do away with law and order, to break law—to have no order, that is? A. To my mind, anarchy conveys the impression that the person entertaining anarchistic opinions feels at liberty to observe or disobey any laws according to his own individual opinion as to the justice or injustice of those laws; but it does not convey the necessity of his breaking laws in order to be an anarchist.

Q. What is the proper definition of socialism? A. I should apply the same definition by dropping the idea of force.

Q. Do you not know that the words "socialist" or "socialism" and "anarchist" are exactly opposite? A. No, sir, I do not.

Q. Do you not know that socialism, especially state socialism, implies more government, more law, and an extension of the functions of government, while anarchy means the doing away with government all together, and doing away with law? A. That is not my idea of socialism as practiced in the United States.

Q. Have you not heard of socialism being practiced in the United States? A. I have heard of it quite frequently.

Q. You admit, then, that you have used these two terms—socialism and anarchism—indiscriminately for years? A. I admit no such thing.

Q. Then without taking the pains to find out what the words meant? A. No, sir; I do not admit any such thing.

Q. Have you ever taken the pains to look up the meaning of these words? A. Yes, sir.

Q. You certainly do not mean to tell me that you found them to be identical? You don't mean to say that one person could be an anarchist and a socialist at the same time? A. No, sir; I have not made any such assertion. I do not think that a person can be a socialist and an anarchist at the same time, but I think the two are upon the same general line of thought and action, except one is more extreme than the other—a great deal more extreme.

Q. You mean to say that, after examination of the meaning of these words, that they are both in the same direction, only one is a little more extreme than the other? A. Yes; that is my conclusion after careful examination of every definition and feature and declaration of purposes surrounding the two classes of people.

Q. Is it not a fact, as I stated before, that anarchy means the doing away with law and order and the breaking up of existing conditions? A. I believe that is Webster's definition, substantially.

Q. Now, is it not a fact that socialism implies the extension of the functions of government by adding new functions, such as the controlling of railroads, owning of ships, manufactories—in fact, everything that people do now on their own account? A. The definition you give should apply to Bellamyism. It is very distinct from socialism.

Q. Is that not the definition the dictionary gives? A. I think the definition is something on that line; I do not remember the distinct definition as to socialism.

Q. Then, after admitting this, you still insist that it is proper to call a man a socialist and an anarchist? A. I think that when people add to the doctrine of socialism the further doctrine of denunciation of courts, juries, and all that sort of thing, and that without exception, making that their rule of action as to all courts and all juries, that it comes pretty near making an anarchist. That is about my idea of it.

Q. Is it not true that you used these terms in this manner solely for the purpose of appealing to the prejudices of the people? A. No, sir, it is not so.

Q. Why did you do so then? A. I did so because I conscientiously believed the persons to whom I applied the designation "anarchist and socialist" were indeed and in fact anarchists and socialists in the line that I have designated.

Q. You have stated the personal character of the Vincents' was good? A. I have so stated—yes, sir.

Q. Do you believe conduct flows from character? A. I do.

Q. How do you harmonize it that parties who have good character will formulate certain terrible doctrines as anarchy, and devise such schemes as you have charged them with? A. I did not imply in this matter of good character, any connection further than their every-day association with men. The matter of every day association, and the matter of principle and life doctrine, are entirely two different principles to apply to personal character. Upon the first principle, I say

they are gentlemen of excellent personal character; upon the second principle, I say that their excellency of personal character make them that much more dangerous in teaching the doctrines which they seem to hold.

Q. What is the definition of character? A. My definition of character is the general estimation in which an individual is held in the community, as to his immediate associations.

Q. Don't you confuse the definition of character with reputation? A. I may do so—yes, sir.

Q. Is not character that which a man really is, not what he seems to be? A. The two words are often used in the same connection and for the purpose of impressing the same idea; but the technical definition is on the line which you suggest.

Q. Do you believe that a man of good character can be guilty of mean or bad actions? A. Yes, sir; I do. That is my idea of things; probably not as to his private actions.

Q. You seem to make a great difference between different actions of men; that is, between his private actions and his public or political actions? A. I do.

Q. Do you apply different standards to your own actions in that way? Do you allow yourself to do things, for instance in your capacity of editor and politician, that you would not do in your private capacity, in your private intercourse? A. I cannot answer that question. I do not quite get the full force and effect of that question. I do not know how to answer it.

Q. Answer it in some way. A. Men often express opinions and say things privately that they would not like to make a matter of general policy, and if applied to the whole community of the people as a matter of political policy it would not be—they would not express such an opinion. Probably I have personally, in the heat of passion, done something of that kind. I refer to all these other things, such as you intimate in your question. I should not consider that a matter of policy at all, and to be taken into account.

Q. Do you mean to say you would do things, or say things, in a political line, that you would not do or say, as a private individual and in social intercourse? A. No, sir; I mean to say, that I might as a private individual, speaking personally, express opinions and ideas which I would not express through my paper and publicly.

By Senator Kimball: Q. This statement which you have made, and the distinctions which you have made, or drawn between the private lives and public acts of people, are based, I suppose, upon your own observation, and your reading of history and the experience you have had with the doings of mankind? A. Yes, sir.

Q. Is it not a fact that is well established by the experience of mankind, that persons who have committed the gravest crimes against society, law, order and good government, are frequently men of unquestioned integrity and irreproachable private character? A. That is undoubtedly true.

Q. And it was that distinction that you were referring to when you made the distinction between the private and the public acts and character of persons? A. I believe I stated in my former evidence that the fact that persons whom I had designated as anarchists appeared to be sincere and honest and active in their convictions, made me feel that they were more dangerous than they otherwise would have been.

By Mr. Carey: Q. Is it not a fact that editors of newspapers often, in the heat of a political campaign, make statements when consideration is only had as to the effect, and not to the truthfulness of the statement? A. The fact that this committee is investigating this matter is evidence as to the truth of your question.

Q. I do not take that as an answer to my question. It is a question that can be answered yes or no. A. Statements are often made, and while I have never known

men to publish absolute lies without some basis, either of gossip or of fact, still each newspaper publisher puts his charges in the most formidable light, and in the best way he can to catch the eye of the public.

Q. Regardless of the exact truth of those statements? A. Yes, sir; very often.

By Senator Kimball: Q. What is said in a newspaper editorially is supposed to be backed up by the responsibility of the editor and the paper itself, is it not? A. Yes, sir.

Q. Is it not a fact that the stories which sometimes appear in newspapers entirely without any foundation in fact, more frequently appear over some such signature as "Tax payer," "Pro bono publico," or some *nom de plume* that shelters the real author? A. Yes, sir.

Q. Is it not frequently the case that the editor has to bear the blame for the misstatements that are made in these communications; that it is frequently thrown upon him because it is published in his paper? A. The public are inclined to charge to the editor of newspapers everything that appears in its columns, regardless of its character, as editorial or correspondence.

Q. You say that the fact that this investigation is being conducted by this Committee is evidence that there are a great many baseless charges made and published in the newspapers? A. Yes, sir.

Q. You referred, did you, to the charges that were published in the various papers in 1888, and since that time, that prominent men in the republican party were responsible for this explosion at Coffeyville? A. Yes, sir; that is what I referred to, and to the further fact that this investigation now nearing a close has proved that many of these statements relative to evidence existing were not true.

Q. And to the further fact that the confessed author of these charges has admitted that they were made by him without any evidence upon which to base them? A. Yes, sir; that is the idea I wished to express.

By Mr. Senn: Q. Do you know of any men who have resorted to mean and low tricks to carry their point in politics, that were good and pure men in their private life? A. Yes, sir.

Q. Please name a few. A. S. W. Chase, B. H. Clover, S. W. Strong, and Salem Fouts. I can extend this list if you desire.

Q. I meant you to answer that question in reference to men that have passed down in history. A. But theories are generally proved by experience, and history is the experience of the world.

Q. I hope you will give some names that have been known as history. A. History generally leaves behind ordinary, every-day failings of people, and brings down to us their better actions and their better motives; therefore, it is difficult for me to state any person in history who would be an illustration of my idea of your question.

By Judge Webb: Q. You said, Mr. Greer, in answer to a question by Mr. Senn, that you knew of several gentlemen of unimpeachable moral character who would resort to disreputable and improper means for political purposes; do you know any well-recognized or generally-acknowledged Republican that did that? A. Probably I do; but it is difficult to call them to mind at this time.

Q. Can you think of any? A. I might if I had some time.

Q. The fact is, that that class of men and politicians are a close corporation, and don't tell on each other, do they?

Before the witness answered this question, counsel said, "That is all."

The chairman stated that he would like to have the witness answer the question; that it would be interesting reading for the future. The witness said he would like

to be excused from answering that question. The chairman stated the witness would be excused from answering.

The witness was excused from further attendance upon the Committee.

LEE JONES, being duly sworn, testified as follows:

Examined by Mr. Henderson: Q. You may state your name to the Committee.

A. Lee Jones.

Q. Are you acquainted with one W. A. Gebhardt? A. I know him—yes, sir. Not intimately acquainted with him.

Q. You reside here in the city of Topeka, do you not? A. Yes, sir.

Q. How long have you resided in the city? A. About eight years.

Q. How long have you been acquainted with Mr. Gebhardt? A. I never met the gentlemen but once that I know of.

Q. Do you remember what year it was you met him? A. 1890.

Q. What time in the year? A. I cannot tell; it was in June sometime.

Q. June of that year? A. It was about two or three days before the republican state convention. If you know the date of that, you will know exactly.

Q. Did you have any conversation with him upon that occasion with reference to the so-called Coffeyville dynamite explosion? Yes, sir; I believe I did.

Q. Did you have any conversation with him with reference to the action of the republican state central committee of 1888? A. Yes, sir; some talk with him.

Q. Did he, in that conversation, state to you what connection, if any, he had with that committee? A. He said, but I have forgotten what it was.

Q. Do you remember the conversation, or the substance thereof, that you had with him upon the occasion which I have mentioned? A. I remember some of it.

Q. Will you kindly state to the Committee what that conversation was?

Mr. Curtis said: We object to that question. Mr. Gebhardt lives in the state of Kansas, and can be produced as a witness.

Mr. Carey stated that the witness had been subpoenaed, and was sick and could not come. The question was allowed to be answered. A. I would like to say to the Committee that this conversation was given to me confidentially, and any statement that I make I do so under protest. The conversation, as near as I can remember it—I met Mr. Gebhardt, and asked him what he was here for, and he said he came down to attend the convention. We talked quite awhile. I being a democrat and he a republican, we talked quite awhile. I asked him what they were going to do with the farmers' alliance, and he laughed and said, "We will get away with them the same as the union labor party." And I asked him to tell me how that was done. After swearing me to secrecy on all the oaths he knew, he told me that Mr. Henrie, Mr. Hutchins and himself—that is the only three I can remember—arranged this expose in room No. 7, at the Windsor Hotel; and that is about the sum and substance of the whole business.

Q. Was there anything said about the explosion in that connection? A. Why, I believe it was talked over; yes, sir.

Q. What did he say about that? A. I cannot remember. I asked him if they did not prepare the box up there. He laughed the matter off. It was just a running conversation of that kind.

By Senator Kimball: Q. You have stated the sum and substance of all of it? A. Yes, sir.

By Mr. Henderson: Q. Is it not a fact that in that conversation he told you, Mr. Jones, that the box that exploded at Coffeyville was prepared at republican headquarters, or words to that effect? A. I do not remember that he did.

Q. Do you remember what he said upon that question? A. I have just stated

that it was running conversation; that was all there was to it. And I cannot remember the details.

Q. You do know that the preparation of the box was mentioned in that conversation? A. Yes, sir; I think it was.

Q. And that he said to you that these matters were prepared in room No. 7. A. I can remember distinctly about him speaking of the expose, and who had prepared it, as I understood it at that time; but when I accused him of preparing the bomb, he did not acknowledge that part of it.

Q. Did he deny it? A. I do not remember the conversation about that. It was cut short about the time we commenced on that. He left, and I have never seen him from that day to this.

Q. I will ask you now if it is not a fact that Mr. Gebhardt did say something to you with reference to the preparation of that box, the details of which you cannot now remember? A. I will state, as I did before, that I accused him. I asked him if it was not made there.

Q. Do you remember what he said in reply? A. No, sir, I do not. I was just going to say we were arguing politics, was getting—of course I cannot remember one-third of the stuff that was said there. When we got to the explosion business, the conversation was cut short, and Mr. Gebhardt was called away.

By Mr. Curtis: Q. You are a democrat? A. Yes, sir—a Jeffersonian.

By Senator Kimball: Q. But you say, Mr. Jones, that when you did charge that this dynamite bomb was prepared at republican headquarters here in Topeka, that Mr. Gebhardt denied that? A. No, I did not say that. I cannot remember that he denied it, or affirmed it. I have been trying to think of the reply that he made me. It was some kind of a witty reply.

Q. You say he did not admit it? A. Not to the best of my knowledge.

Q. So that you could not say that Mr. Gebhardt said or admitted to you, tacitly or otherwise, that that bomb was prepared at republican headquarters, here in this city? A. I could not say positively whether he said it was or was not. I could not affirm positively either way.

By Judge Webb: Q. You said you asked him what they were going to do with the farmers' alliance? A. Yes, sir.

Q. What was his reply? A. Get rid of them the same as they did the union labor party; that is as near as I can now remember it.

Q. Did you ask him how they got rid of that party? A. Yes, sir.

Q. How did he tell you they got rid of it? A. As I say, he went on and told me, after swearing me to secrecy about the expose, that he, and Hutchins, and Henrie, and I do not know but that he mentioned others, prepared it. Mr. Henrie was the only man I knew, and he said it was prepared in room six or seven—I cannot locate the number—at the Windsor Hotel.

Q. How did it happen that there was any allusion made at all to the Coffeyville explosion? A. Well, I cannot tell you how that did come up.

Q. Do you remember any question that you propounded to him connected with that? A. After he had told me what he had, I just laughingly asked him if they had prepared a bomb up there too.

Q. Any answer to that? Did he make any reply? A. Yes, sir, he made some reply—some witty reply. I cannot say that he said they did make it, or did not make it.

Q. Was there anything said in connection with its conveyance to Coffeyville—how it got there? A. No, sir; not a word.

Q. You say you were not before that time acquainted with him? A. No, sir.

Q. That was in the year 1890? A. Yes, sir; when the republican state convention met, last June. That is the only means I have of remembering it.

Q. Was it upon the occasion of the republican convention last year, without regard to date or time? A. Yes, sir.

Q. Was there any conversation which you had with him upon that occasion—anything said about Secretary Higgins, or Bill Higgins, as we call him? A. No, sir, not a word.

Q. Anything said about his having been previous to that time a clerk in the office of the secretary of state? A. He told me held some position. I was manager of Marshall's band. He met me and said, "Do you know me?" I said "No." He said he knew me well, for the band had been engaged two or three times, and I was manager of Marshall's band.

Q. You have not seen him since? A. No, sir.

Q. You say, that what was said to you was said under injunctions of secrecy? A. Yes, sir.

Q. But, in talking with some of your personal friends or political friends afterward, you made mention of what he said to you? A. Yes, sir; I believe I have.

Q. Do you remember to whom you mentioned it? A. Yes, sir.

Q. Who was it? A. Mr. Eaton, of Winfield, I believe is the only man I talked to.

Q. John A.? A. Yes, sir.

Q. You do not remember of having stated it to only one? A. I have stated it to two or three fellows here in town, my personal friends. I always told it where I thought it would harm the republican party the worst every time.

By Mr. Crumley: Q. You didn't seem to tell it like a secret, did you? A. Kind of like a woman's secret—to be passed around from one to the other.

By Mr. Templeton: Q. This conversation that you had with Mr. Gebhardt, relative to the Coffeyville explosion, occurred, you say, last June? A. I guess I must have been mixed in my dates. It was just on the Sunday before the republican convention, which they say was in September.

Q. And you were a democrat, and he was a republican; were devising the best means to handle the people's party and defeat them? A. No, sir; at that time I did not consider the people's party was in it at all. I did not know there was hardly such a party. I just merely asked that question because I thought maybe it might make him feel good. You know the democrats were all on top before the election last fall.

Q. Did you gather or infer from the conversation that you had with him that he knew where this bomb was prepared? A. Yes, sir; I believe he does know, if you want my opinion.

Q. You gathered it from that conversation? A. Not so much that; that would strengthen it a little, same as Mr. Curtis guessed me to be a democrat. I believe they all know, as far as my opinion is concerned.

By Senator Kimball: Q. You believe they all know where that bomb was prepared? A. I do not want that to go into the testimony. I have been raised to believe that the republicans would do anything.

Q. And it is from the general opinion you have of the republican party that you think they must know where that bomb was prepared? A. You are getting me in pretty close quarters. Well, I would not like to say that; that is going too far, of course.

Q. You would not like to say that of Mr. Gebhardt, either? A. That he knows?

Q. Yes, sir. A. I believe he knows.

Q. What makes you believe that Mr. Gebhardt knows? A. Just as I have said

before, because he was connected with the expose part of it. I should think he would be connected with the whole thing.

Q. Because he was connected with the expose of the Videttes that you have referred to? A. Yes, sir.

Q. And you had in your mind connected the two together, the Coffeyville explosion and the Vidette expose, and had concluded that they were all a part of the same plan? A. Yes; sir, that is my opinion.

Q. And having that opinion when Mr. Gebhardt told you the facts as he understood them in relation to the expose, you naturally concluded that he also understood and knew about the Coffeyville explosion? A. Yes, sir; that is about what I think.

Q. And it was upon that you based your belief that he did know about it? A. Yes, sir.

By Mr. Senn: Q. The Vidette expose had been generally talked of; there was no secrecy about that whatever, long before this conversation took place with Mr. Gebhardt? A. We never mentioned it at all until he commenced to tell me as a friend; then the whole political conversation came after that, and after I asked him what he was going to do with the people's party.

Q. I mean, at that time the Vidette expose had been talked of in a general way; there was no secrecy about that? A. He told me that in secrecy.

Q. Don't you think that the secrecy that he enjoined on you was more because there might be more connected with the Vidette expose; and it was that part that he was to keep secret, and not the Vidette expose? A. After he got through telling me what he did, I supposed his injunctions of secrecy were more to prevent the republican committee from thinking he would leak, than anything else.

Q. You don't think it was because—that besides the Vidette expose there was also a dynamite explosion associated with it? A. Oh! no; I never stopped to think about that matter.

The witness was excused from further attendance upon the Committee.

THOMAS A. GRANGE, being duly sworn, testified as follows:

Examined by Mr. Henderson: Q. You may state your name to the Committee? A. Thomas A. Grange.

Q. Where do you reside? A. Topeka, Kansas.

Q. How long have you resided in Topeka? A. Fourteen years next month.

Q. Are you acquainted with C. A. Henrie? A. Yes, sir.

Q. How long have you been acquainted with him? A. Five or six years.

Q. Do you remember of hearing of the explosion at Coffeyville? A. Yes, sir.

Q. Do you know whether or not Mr. Henrie was at home at the time of the explosion? A. I know there were two men sent there to find him and could not find him the day of the explosion.

Q. Do you know who these men were? A. Mr. English was one, of North Topeka, and the other, I have forgotten the name. He was a carpenter in Topeka, and left two years ago. I think he is in California.

Q. Were you acquainted with Mr. French? A. I saw him. I was not particularly acquainted.

Q. Do you know where he resided in October, 1888? A. On the avenue, pretty close to the court house.

Q. Do you know where he resided, in reference to the place of Mr. Henrie? A. I understood they lived together in the same house.

Q. Did you have any talk with Henrie shortly after the explosion? A. I do not know how shortly afterwards. I had a talk with him afterwards, but how short a

time after the explosion I cannot tell. It was the first time I saw him after the explosion.

Q. The first time you saw Mr. Henrie after the explosion, you had a conversation with him? A. A short one; I met him on the avenue.

Q. Was the Coffeyville explosion a subject of conversation? A. I suppose it was. When I met him I told him he must not handle dynamite unless he understood it better than he had in that affair.

Q. What reply did he make? A. I do not believe he made any; he just laughed at me. He did not say anything, to my recollection.

Q. Did you belong to the Knights of Labor at that time? A. Yes, sir; I belonged to it for ten years.

Q. Did Mr. Henrie? A. Not at that time—no, sir.

Q. Was he at any time a member? A. Yes, sir, in 18—yes, sir, before that time.

Q. Was he expelled from the order?

Mr. Dawes objected to the question, and was permitted to examine the witness for the purpose of showing that such proceedings were matters of record.

By Mr. Dawes: Q. I want to ask you if the Knights of Labor did not keep a record of all such transactions as that? A. Yes, sir.

Q. And there must be charges preferred before a member can be expelled. A. That is owing to whether they demand charges.

Q. The cause of the expulsion will appear on the record, won't it? A. Yes, sir.

Q. And is there not a court of inquiry appointed to investigate? A. That is owing to whether it is demanded or not.

Q. Was there not one demand in this case? A. I do not know whether it was demanded; I know there was one offered.

Q. And didn't that court make a report? A. I do not know whether they made a report.

Mr. Dawes objected to the witness testifying to the cause of the expulsion of Mr. Henrie, because the record of that transaction is certainly the best evidence.

The objection was overruled.

Q. Have you in your possession the resolution that was adopted by the order, expelling Mr. Henry? A. No, sir; I had, but I left it with the stenographers, and have not received it since.

Q. I will ask you to state to the Committee, if that is it [handing witness paper]? A. I have not got my specs, and I cannot see to read it.

Q. What was he expelled for? A. I would sooner have my statement from the record, as it was over two years ago. If I heard it read, I could say pretty positively.

Mr. Henderson offered in evidence the resolution expelling C. A. Henrie from the order of the Knights of Labor, and it was marked Exhibit 51, and was as follows:

[EXHIBIT 51.]

Resolved, That it is the sense of the Kansas State Assembly of the Order of Knights of Labor, in regular annual session assembled, in the city of Leavenworth, on Tuesday, August 6, 1889, that a former member of this order, by name and residence C. A. Henrie, of Topeka, Kansas, has forfeited every right and title to membership to this order.

First: By his sentiment and methods for more than a year last past, as charged, without contradiction by members of the order, and as widely and notoriously published in the current literature of the country.

Second: By the non-resentment and non-contradiction of the oft-repeated and long and widely published charge that he was criminally connected with a murderous explosion of dynamite at Coffeyville, Kansas, in the month of October, 1888.

Third: By his utter neglect to meet his financial obligations to the order, or to keep his promises respecting such obligations, since January 1, 1888, a period of over nineteen months. Therefore, be it

Resolved, That the said C. A. Henrie is not rightfully or legally a member of this order, and has not been so considered by Knights who know him best for many months past.

Q. Do you remember of hearing of the fact that Mr. Henrie has received a clerkship in the office of the Commissioner of Labor of this state? A. Yes, sir.

Q. Did you have any talk with him before he received the appointment, with reference to that fact? A. I do not know as I did.

Q. Did you ever have any conversation with him about his appointment? A. I do not know that I have, because at that time he did not live in my building, and I was not there much where he was.

Q. Did he say to you at any time how he came to get the appointment? A. No, sir.

Q. Did he not tell you that they had to give it to him? A. I am not able to answer that question.

Q. You remember of testifying before the committee on state affairs? A. Yes, sir.

Q. Do you remember of making a statement that I have called your attention to when testifying in that case? A. I do not remember.

Q. Did he ever live in your house? A. Yes, sir.

Q. Did he live in your house in 1888? A. Yes, sir.

Q. In the fall of that year? A. I do not know how near the fall it was. It was about within two weeks of this explosion, I think.

Q. Did you have any conversation with him about this rent—the source from which he would obtain money with which to pay the rent? A. I expect I did.

Q. When was that, Mr. Grange? A. Before he left that place.

Q. What was that conversation? A. I expect I wanted my rent; I do not know. I believe that was the conversation.

Q. Have you no recollection of the conversation? A. I believe he said he would finish paying me when he got the money.

Q. Did he tell you from what source he expected to get the money? A. I do not know as he did. He might have, but I do not remember.

Q. Did you hear any conversation between himself and wife with reference to his connection with the Coffeyville dynamite explosion? A. That is a question I do not know how to answer.

Q. You can answer it yes or no. A. I heard a conversation when he started away the last he was there before they moved.

Q. Do you remember about when that was? A. It was when he went east, and his wife moved while he was gone. What the conversation was about I cannot tell exactly. She said, "Don't, Henrie," and he said, "My God! I have to." Now, what it was about I cannot say. I won't say it was Coffeyville or not; I did not hear that. Something as near as I can state.

By Mr. Dawes: Q. I understood you this conversation was when he was getting ready to go east? A. Yes, sir; when he was starting—when he was starting out from the yard.

Q. The time he went east, he was gone how long? A. I cannot say exactly; probably a week or two, because she moved while he was gone. I could not state the exact time, probably a week or ten days—probably not so long.

Q. You may look at this [handing witness a paper], and tell what it is? A. I cannot read it: I cannot see. [Handing witness glasses, he looks at the paper.]

Q. Can you state what it is? A. Yes, sir; I know what it is. I know what it reads.

Q. Please tell the Committee what it is. A. It appears it is to reinstate him in the Knights of Labor—a reinstatement.

Q. Is it not a special transfer card, transferring him in any order—that is, from the order to which he belonged in the assembly to any order to which he might pre-

sent that card? A. I suppose that is the form of it at that time. I would like to know where that order came from.

Q. I am asking you if that is not what it is? A. There is a portion of this torn out; I would like to know how I am expected to know the assembly this has come from here. The hole is torn out, and I cannot tell. That is the question I want to know.

Q. The number is torn out? A. Yes, sir.

Q. I will ask you if this is not the seal of the Kansas state assembly? A. I expect it is, I do not know. Yes, sir.

Q. Granting him a transfer card on the 21st of July, 1888? A. Yes, sir; but from what assembly?

Q. From the state assembly. A. It is from the state assembly, I suppose.

Q. Then he was not a member of the Kansas state assembly? At the time the resolutions were adopted that have been introduced in evidence, he had been transferred? A. When were these resolutions adopted?

Q. August 6, 1889. A. This was almost a year before?

Q. Yes, sir. A. He sat with us in 1888.

Q. And took out this card in 1888? A. I suppose he did at the time. This was after.

Q. And he was not a member of the state assembly when this resolution was attested at all? A. I do not know but what he was.

Q. This card would indicate that he was not, would it not? A. We can give a man a card and still he is a member.

Q. But this would reinstate him in any organization? A. Yes, sir. It did not make him not a member of the state assembly, in my opinion, at all.

Q. Mr. Henrie was not present at Leavenworth when these resolutions were passed, was he? A. I think not.

Q. Never met him in conference? A. He was not there.

By Judge Webb: Q. This card shows that Henrie had been duly received into the order of Knights of Labor, don't it? A. Yes, sir.

Q. The local assembly of which he was a member had lapsed? A. I did not understand it so. He was a state officer at that time.

Q. Independent of his state official capacity, he was a member of the local assembly? A. He was formerly.

Q. This don't deal with him as a state officer, but as a member of a local assembly, and it does not make any odds whether he was a state officer or not, so far as this card is concerned? A. Not a particle.

Q. The local assembly had simply lapsed? A. Did not exist—lapsed.

Q. But he, during the existence of the order, was a member? A. Yes, sir.

Q. This card certifies to that fact? A. Yes, sir.

Q. And provided, upon this being deposited in some other local assembly, he might become a member thereof and his character as a Knight of Labor continued? A. Yes, sir.

Q. Would he become a member of any other order or assembly until he deposited his card with it? A. No, sir; he gave me a card to present in our order; and when a card comes into any order it is voted upon, and it was voted down. He could not become a member of our order.

By Mr. Carey: Q. Did you recognize that as being the card that was presented to your order? A. I do not know but what it is.

By Mr. Dawes: Q. You don't know that it is? A. I don't know that it is the identical card.

By Judge Webb: The state assembly is a superior or grand organization of this

order, and whose membership constitutes the delegates from the various local assemblies? A. Yes, sir; of this state.

Q. This card was granted by the state assembly? A. Yes, sir.

Q. It was granted to Mr. Henrie, who had been a member of a local assembly which had then lapsed? A. Yes, sir.

Q. I will ask you to state if the same body that granted this card to Mr. Henrie is the body which expelled him? A. A portion of it; yes, sir.

Q. Is it a state assembly. A. Yes, sir.

Q. Then it is the same body, without any regard to the men who were in it. A. It is the same body, but not the same men.

Q. Were the local assemblies subject to the authority and decision of the state assembly? A. Yes, sir; they are.

Q. And did the state assembly have authority to expel any member of the order belonging to any local assembly in this state. A. Yes, sir.

The witness was excused from further attendance upon the Committee.

The Committee adjourned until 2 o'clock this afternoon.

ТОРЖКА, Thursday, April 2, 1891—2 P. M.

Committee convened pursuant to adjournment. A quorum present.

The affidavits of John U. Sturr, W. S. Upham and David Park were marked Exhibits 52, 53, and 54. Mr. Henderson stated that there was an agreement between counsel that these affidavits should be received in evidence in lieu of the testimony of the witnesses. In accordance with the agreement, the affidavits were read in evidence, and were as follows:

[EXHIBIT 52.]

STATE OF KANSAS, COUNTY OF MONTGOMERY, ss.

Be it remembered, that on this day personally appeared before me, a notary public within and for said county, one John U. Sturr, of lawful age, and whom I certify to be a credible person, and who, being first duly sworn according to law, deposes and says: That he is a resident of the city of Coffeyville, said county; that on the morning of the 18th day of October, A. D. 1888, I was in the employ of George W. Semmons, clothier, Coffeyville, said county, as salesman, in the building in the rear end of which was then kept the Pacific express office by H. M. Upham, express agent.

About three or four o'clock P. M. of said day, the said H. M. Upham left the express office and, as I supposed, went home. I did not see him any more that afternoon, and am quite certain that Mr. Upham did not return to his office any more during said day; that in the evening about five o'clock I heard a ringing of bells in the city, and supposing that fire had broken out I locked my store door and proceeded southward about two blocks, and thence west about one block, when I met several persons who claimed to have been at the residence of said H. M. Upham, and which persons told me the cause of the excitement; or in other words, that there was no fire, but that an express package had blown up at Mr. Upham's and probably killed his wife and daughter. I then returned to the said store, and a few minutes later Mr. W. S. Upham, a brother of the said H. M. Upham, came to me with a note in the handwriting of and signed by H. M. Upham, telling me to look at his forwarding book and make a copy of a way-bill from "P. Jason to L. Loudon." I immediately made from the said forwarding book the following copy, as nearly as I now remember: "1 Pa. 5 lbs., from P. Jason to L. Loudon, Winfield, Kas, charges prepaid 25c." When said copy was completed I gave the same to said W. S. Upham, as per H. M. Upham's request in said note.

At the same time that said W. S. Upham handed me the said note from the said H. M. Upham, he gave me the key to the desk of the express office, and with the key I unlocked the desk and found the forwarding book as aforesaid.

JOHN U. STURR.

Subscribed and sworn to before, me this 23d day of March, 1891.

T. C. WATERS, *Notary Public*.
(Com. will expire May 24, 1894.)

[EXHIBIT 53.]

STATE OF KANSAS, COUNTY OF MONTGOMERY, ss.

Be it remembered, that on this day personally appeared before me, a notary public within and for said county and state, one W. S. Upham, of lawful age, and whom I certify to be a credible person, and who, being first duly sworn, deposes and says: That he resides in the city of Coffeyville,

Kansas, is a brother of H. M. Upham of said city, and that he, said affiant, resided in said city during the whole of year 1888; that on the 18th day of October, 1888, at about half-past four o'clock p. m., of said day, there was a terrific explosion at the residence of said H. M. Upham, which residence is on the opposite of affiant's residence in said city, and upon hearing said explosion, said affiant at once proceeded to the said residence of the said H. M. Upham. Shortly after his arrival at the house of said H. M. Upham affiant learned that the wife and daughter of said Upham had been seriously injured by the explosion, and heard the said H. M. Upham repeatedly ask for the marshal. In a short time after the arrival at the house of the said H. M. Upham, so, as aforesaid, he, said H. M. Upham, gave affiant an open note to one John U. Sturr of said city, together with a key to the desk used by said H. M. Upham in his express office, and told affiant to deliver both to said Sturr, who would, as per the request of said H. M. Upham, in said note, make a copy of the entry in his, H. M. Upham's, forwarding book at the express office of a package sent by P. Jason to J. Louden, at Winfield, Kansas, and that immediately he, said affiant, proceeded to the store of George W. Semmons, in McCoy's Block, said city, in which establishment he found the said John U. Sturr and delivered to him the aforesaid key and note; that the said Sturr at once prepared the said copy above referred to and delivered the same to the affiant; whereupon the said affiant returned to the said residence of the said H. M. Upham and delivered the said copy as requested.

Affiant goeth further, and saith that before he left the said express office he procured a brick, and wrapping the same securely in paper, left the same to be forwarded to Winfield, Kansas—first having addressed the same to J. Louden. This was intended as a decoy package. W. S. UPHAM.

Subscribed and sworn to before me, this 23d day of March, 1891.

T. C. WATERS, *Notary Public*.
(Commission expires May 24, 1894.)

[EXHIBIT 54.]

STATE OF KANSAS, COUNTY OF MONTGOMERY, ss.

Be it remembered, that on this day personally appeared before me, a notary public within and for said county, one David Parks, of lawful age, and whom I certify to be a credible person, and who, first being duly sworn, upon his oath deposes and says: That his age is 29 years; his place of residence is Coffeyville, said county, and that he has resided in said city continuously for the past eight years; that he is acquainted with H. M. Upham of said city, and has known him intimately for nearly all of said eight years, and has spent much of said mentioned time in the employ of said Upham; that affiant is well acquainted with the present residence property of said Upham at the corner of Eleventh and Spruce streets, said city, where said Upham now lives; that on the 15th day of October, A. D. 1888, affiant by request of said Upham, constructed a dark room in the southwest corner of the summer kitchen of said property, which said dark room was to be four feet by four feet and six inches, the floor of which was to be in common with that of the said summer kitchen, and which dark room was to be six feet and six inches high to ceiling. The sides were to be of hard-pine flooring; that on said 15th day of October, 1888, he, said affiant, completed said dark room out of the above specified materials, and of the said dimensions, excepting that the south and west sides of the said summer kitchen served as the south and west sides of the said dark room; that said dark room had but one opening, which consisted of a door on the north side about two feet wide and six feet high.

Affiant goeth further, and saith that shortly after October 18, 1888, I began repairing the damage done to said building caused by an explosion on said 18th day of October. The damage to said building caused by said explosion, as well as I could gather from an inspection thereof, consisted of a hole about three feet in diameter torn through the floor of said dark room, and an opening of equal dimensions was made in the ceiling of the cellar below, and directly below the said last-named aperture upon the floor of the cellar the plastering or cement was shattered considerably. A large pine box that was sitting on the cellar floor directly under the dark room, was badly torn up, while the shelf on the south side of the kitchen cellar was torn away, and two of the joists, on the under side of which rested the ceiling of the cellar, and to the upper side of which was nailed the floor which served in common with the said dark room and kitchen, were completely demolished for a distance of three feet from the west end.

The inner walls of the dark room were literally torn to pieces, while the kitchen walls on the south and west, which last served as the south and west walls of the dark room, were badly torn up near the bottom. A hole was blown through the north door of the kitchen, which kitchen door was about seven feet from the dark room, while one-half of the lower panel of the south door of the summer kitchen was blown out. This last-named door was about five feet from the dark room. The roof of the summer kitchen was standing gaped open at the comb, about three inches for a distance of six feet from the south end.

DAVID PARKS.

Subscribed and sworn to before me, this 23d day of March, 1891.

T. C. WATERS, *Notary Public*.
(Com. expires May 24th, 1894.)

Judge Webb offered in evidence an article published in the *American Non-Con-*

formist under date of September 22d, 1887, headed as follows: "Must Have Their Blood." The article was marked Exhibit 55, and was as follows:

[EXHIBIT 55.]

MUST HAVE THEIR BLOOD!

THE CHICAGO ANARCHISTS TO HANG, NOVEMBER 11TH.

Last week, after our forms had gone to press, the news came that the Supreme Court of Illinois had affirmed the decision of Judge Gary, and set the date of execution for November 11th.

It may be of no avail to enter our protest at this late hour against this judicial murder, but we can at least show a contempt for the cowardly cringing of professed labor reformers at the feet of monopoly in their mad cry for blood. The monopolists are howling for blood—nothing else can satisfy. The people are becoming desperate, and an example must be made of those who have the nerve to protest against this hell-born system of legal robbery, and the protestors—the people—given to understand that they must calmly submit to be robbed, or be hanged if they resist. That is what it amounts to.

No judge or juror connected with the case pretend to claim that either of the condemned men threw that bomb, or knew anything about it, but because they had exercised their right of free speech under the constitution, and stated their grievances, they must hang. Oh, American justice, what a burlesque!

Let us take a cool view of this matter, and see at this rate how long it will be before every reform speaker and editor will be in danger.

Had there not existed some most iniquitous wrongs, who for a moment believes those thousands of working people would have been on the streets discussing the situation? Do men of a choice leave happy firesides to go out and organize to kill somebody? Hardly. Had those men been justly dealt with, had been awarded a just portion of the fruits of their toil, no pretext whatever could have drawn them into any conspiracy.

We state nothing new when we assert our conviction that the hand who threw that bomb was a paid agent of the great monopolies, as no other method could so effectually bring down the popular wrath.

Let us go back to the time when John Brown made his attack on Harper's Ferry. Was not he an anarchist? He trampled in disgust the laws that held one portion of the human family as slaves to labor for the aggrandizement of a few of the other portion. He made an attack. He was thwarted—was hung. Did that stop the agitation? Did that make the cause of slavery more righteous? When that drop fell, it fired this nation into bloody activity, and for three years the conflict raged before those infamous "laws" that old John Brown trampled upon were swept away in blood; and from that day to this, every coward in the land, that thirsted for his blood at that time, loves to display his patriotism by singing "His Soul Is Marching On."

The monopolists (the modern slaveholders) were just that near-sighted as to fancy that the hanging of seven men is about to settle the question in favor of their supremacy, as they thought the hanging of that one man would settle the former agitation.

Another thing: How happens the date for execution to fall on the day that the state militia is to be in the city? Is there anything suggestive about that? Would this have been the case, had not the "powers that be" known that the desperate legal murder they were ordering would call forth an outburst of popular wrath? And are they such fools as to think that two or three companies of state dudes can quell an insurrection of the magnitude such a crime will call out?

Oh! mistaken service of the people! Why do you not run this government for the people, and not, as it is, for the heartless vultures who are reveling in luxury off from their legal stealings from honest toil?

A contented people will respect wholesome laws; laws that punish a rich thief equally as a poor one. But a people that are systematically and continually robbed, and who know they are being robbed, are about to seek redress as surely as water finds its level.

'Tis said we have vicious foreigners to contend with. True; but under what system were they brought here? Was it not this grand protective farce, that taxes everything a poor man uses and lets the paupers and vicious classes in tariff free?

To our mind, if Chicago wants to see bloodshed as she never saw it before, they have but to spring the trap to launch those seven men into eternity, and if Judge Gary hopes to escape it would be no indiscretion on his part to join his co-workers and brethren in crime, the Chicago boddlers, and take a vacation in Canada.

It is worse than hypocrisy in the labor press of this land to fawn like whipped curs at the feet of oppressors, while they know that the next turn of the wheel will catch them as surely as this act of judicial villainy is permitted to go on. We repeat, it has never been proven that those men were in any manner connected with the throwing of that bomb, and hanging innocent men on suspicion is a crime that will call for an atonement most terrible, and don't let the fact escape you for one moment. Human liberties are not to be thus idly dealt with, if it is in the name of the law.

The *Non-Conformist* stands for law, but it stands for human rights first. Take the heel of oppres-

sion from the neck of labor, and you have no use for nine-tenths of the "enactments" that disgrace this boasted land of the free. We say if you are about to hang the anarchists, hang them all; for as sure as history repeats itself, the hanging will not stop on the 11th of November.

Judge Webb offered in evidence an article published in the *Non-Conformist*, under date of October 6th, 1887, and headed, "Our Sentiments in Regard to the Condemned Anarchists." The same was marked "Exhibit 56," and was as follows:

[EXHIBIT 56.]

OUR SENTIMENTS IN REGARD TO THE CONDEMNED ANARCHISTS.

Every day we are asked, "Are you a sympathizer with those condemned anarchists?" We had just seated ourself for the purpose of answering the question, when our eye caught sight of the above heading in an exchange, and, on reading it, concluded that our own language could not better define what we believe is to-day the popular sentiment among the honest thinking masses. We give it in full, and indorse every word.—EDITOR.

[Advocate, Lewiston, Me.]

The great cry from the capitalist press, and those who read nothing but their manufactured lies, is "Hang the anarchists! string them up!" and why? Simply to satisfy public clamor. The majority of those who are crying "Hang the anarchists" don't know what an anarchist is, and don't want to know. They only know that seven men were arrested in the city of Chicago, convicted by a packed jury, and sentenced to death by one of monopoly's tools, called a judge, without any evidence of their guilt being produced. But the capitalist press says, "Hang them," as a warning that free speech will not be tolerated in this country, when it is detrimental to the interests of a monopolistic press; and the yelping curs who read the subsidized press take up the cry, and yap out, "Hang the anarchists whether they are guilty or not! Don't give them a fair trial, for fear they will be proven innocent of the charge!"

Now, we want it distinctly understood that we are not anarchists, or in sympathy, even, with their ideas, but, on the contrary, are opposed to bloodshed both by individuals and state, and we are most rigidly opposed to the anarchists' method, as we believe the ballot is capable of righting all wrongs the people now suffer, if they will but read and think so as to act understandingly. But while this is our belief, there are others who believe that radical measures only can secure redress, and those people called anarchists take this view of the situation. That they advocate extreme measures, no one denies; but shall they be put to death for thus proclaiming their ideas to the world? We say, no. If they can be proven guilty of committing murder, let them receive the punishment; but don't hang them without good proof of their guilt. The anarchistic doctrine of to-day appears no more radical for its time, than did the ideas advanced by the abolitionists from 1850 to 1860. The abolitionist leaders of thirty years ago believed that radical measures only could wipe the curse of slavery from the land, and whether it could have been done peaceably or not will never be known; but one thing is certain—it was removed by force, and the bloodiest old red-handed anarchist that this country ever produced (John Brown), has had his soul marching on ever since, if music and song could make it march. The court of Old Virginia made a martyr of John Brown to please the populace, but his blood washed the shackles from four million of slaves; and if the courts of Chicago make martyrs of those seven crazy-headed anarchists their blood is liable to flood that sin-cursed city, and drown out the most corrupt set of judges and jurors that ever infested any city on the face of the globe. The feeling against these seven condemned men is very bitter all over the country, because the entire press of the country, with very few exceptions, have cried out against them since the moment they were arrested, and only those editors who think more of their manhood than they do of their subscription list have dared to ask that simple justice be done them. We have not written this article because of our friendship for the anarchists. They are no friends of ours, or the order of the K. of L. to which we belong; but on the contrary, are among our worst enemies. Yet they are human beings whom we believe have been unjustly convicted of a crime they never committed, and while believing so, we demand that justice be done them. He who is too cowardly to advocate that which he believes to be right, because public opinion is against him, is too cowardly to be called a man. These are our sentiments, and we must stand or fall by them. We might possibly become popular by playing the role of a hypocrite, but we prefer to be unpopular, and be a man.

Judge Webb offered in evidence an article published in the *Non-Conformist* under date of November 17th, 1887, headed "The Anarchists." The same was marked "Exhibit 57," was read in evidence, and was as follows:

[EXHIBIT 57.]

THE ANARCHISTS.

Last Friday, the 11th, four of the Chicago anarchists were choked to death with all the coolness of a packing-house sticker. Time and again during the campaign just closed has the *Non-Conformist* and all its friends been held up as anarchists, and "bomb-throwers" of the deepest dye. Sensible people

knew what it meant, and the howl fell dead wherever it was uttered. From the first the position of this journal has been that those men were not to be hanged for throwing a bomb, for it was not claimed for them, even by Judge Gary; but they were choked because they entertained individual opinions regarding governmental systems; nor are those principles the distorted dynamite theories that the capitalistic press have made them out. The monopolists mean to hush every breath that speaks out for effectual reform. A demand was made for blood, and like the savage attacking, the courts connive to hang the first person they could lay their hands upon, as the Indian after losing a brother at the hands of a drunken white, scalps the first unfortunate that comes within his reach. And this they call "law," "justice," and a "rebuke" to labor organizations that they must submit to the unparalleled robberies of those who cry against them will dangle at the rope's-end.

Take the person of Parsons, who went only as a spectator at the Haymarket on that eventful night, simply a looker-on, was out for a walk with the wife he loved and his little ones, and learning that a meeting was in progress they sauntered down that way. Then later during the investigation he saw the flimsy pretexts upon which they were making arrests, and of his own free will gave himself up for trial, that confident was he in American courts that they would never convict and punish innocent parties. Mistaken for once. He is caged like a wild beast, treated as a felon, taken from the love of home and family, and even when standing on the trap he begs for one word, and while the manly protest is on his lips the trap is sprung and he is strangled. For this one act alone America to-day stands at the head of the list of barbarian nations, and justly, too. The shame of such a tragedy alone is too black to call for even a suggestion of apology.

Humanity cries out against such heartlessness.

It is claimed that the governor could take no other course because no petition had been signed by the convicted parties. Does the page of history display examples of nobler manhood? When men have committed no crime, why must they criminate themselves by begging off and "recanting"? Would it not have been more the part of a humanitarian, of a true statesman, after the real felon, Lingg, as events proved, had taken the course of self-destruction he did, for the governor to have effectually refuted the charges made by Spies and Parsons against the state by showing mercy unasked? But now, what other evidence do the anarchists require for the truth of their claims than the trial and execution of those men?

It is charged that the *Non-Conformist*, above all other journals, is an "anarchist sympathizer." The reason for that is that it has been recognized as the most powerful organ in Kansas in opening the eyes of the people to the situation the country is in. But the position we take regarding these men differs but little from the *Topeka Commonwealth*, the *Omaha Bee*, the *Council Bluffs Daily Herald*, and many other leading journals who had the manhood to come boldly out and declare that the ends of justice would be over-reached the moment Parsons and Spies were suspended in mid-air.

Already public sentiment is echoing the belief that innocence has been outraged. The finding of the bomb in Lingg's cell, the subsequent successful attempt at self-destruction stamped upon the public mind the conviction that he and he alone of the seven was the one who knew most concerning the authorship of the Haymarket tragedy, and from that moment the suspicion of innocence claimed by the others has grown.

The *Non-Conformist* does not expect to be understood by the "great big leading dailies" of the west such, for instance, as the *Winfield Courier*. Its next issue will doubtless demand in thunder tones for an overhauling of this office; that "public safety" requires it, and lot more such statesmanship. We call it "statesmanship;" why not? The editor of that moral concern has been to the legislature, and of course, after listening to Mr. Perkins and others of his stamp, what else is he but a "statesman"? The reader must not for a moment understand us as attempting to cast any reflection whatever upon the *Courier*, for we are not, but simply complimenting its editor.

Another thing to which the whiners are agreed, is the good sense displayed by the anarchists in not offering to resist the law. They have outwitted the governor and the whole state of Illinois by letting the hanging go peaceably forward.

Their knowledge of the history of such procedures told them that their cause could be advanced in no surer way, terrible as it was. The country to-day looks upon it as but the repetition of the John Brown tragedy, and for that reason monopoly is trembling as never before. Sure, they now think to have the upper hand, but as the bright eye, the quickened senses, are regarded by the victim of fever as a hopeful sign, cooler judgment knows too well it is but the near approach of death. For this reason has the *Non-Conformist*, and with it hundreds of labor editors and speakers, cried out against this judicial murder. Nothing can be more true than the utterance of Spies on the gallows: "Our silence will be more powerful than the voices they are going to strangle to-day."

It was agreed by counsel on both sides that these were among the articles mentioned by Mr. Greer in his cross-examination, which convinced him that the Vincent brothers were anarchists and socialists, and the same are introduced in evidence and are to be considered as a part of Mr. Greer's cross-examination.

MR. UPHAM, being recalled for further examination, testified as follows:

Examined by Mr. Henderson: Q. Are you acquainted with Chas. Glass, of Coffeyville, Kansas? A. Yes, sir.

Q. Did you hear his testimony before this committee? A. I was not present.

Q. Have you since that time read it? A. I have read the testimony.

Q. I will ask you to state to the Committee if, at the time mentioned in his testimony, you had such a thing as a dark room? A. No, sir.

Q. Do you remember of Mr. Glass being at your residence at any time during the month of October, 1888, prior to the explosion at your house? A. Yes, sir.

Q. When was it, with reference to the date of the explosion? A. It was a week or two before the explosion.

Q. I will ask you to state to the Committee, if you had any gun cotton in your possession at that time? A. No, sir.

Q. Did you have any in your possession on the 18th day of October, 1888? A. No, sir.

Q. Did you at that time have any flash powder? A. No, sir.

Q. Do you remember having any conversation with him at any time with reference to the use of flash powder? A. Yes, sir.

Q. When was that, with reference to the day of the explosion at your house? A. It was about a year afterward.

Q. Where was it? A. At my house.

Q. You may state to the Committee what that conversation was? A. I had been to Mr. Glass's gallery in October, 1889, on my return from the east, and I had two or three weeks on my hands before my position was ready for me. I asked him if he would give me some points about the way he developed plates, and asked him if he had ever used flash powder in taking pictures after night, interior views. I do not remember whether he had ever taken any or not, but he became interested in it and said, perhaps sometime he would like to take some pictures at night; and asked me if I had any flash powder to use for such purpose. I told him I had some, I had brought some out with me, and intended to take some pictures after night, interior views; and that I would let him know so that he might be present. That is the substance of one or two conversations I had with him—one at my house and one at his gallery.

Q. In what year? A. In 1889—October.

Q. Did you, during the month of October, 1888, take any pictures in the Indian Territory? A. No, sir; I did not.

Q. Did you in the year 1889? A. Yes, sir.

Q. Since Mr. Glass has testified, have you had any conversation with him with reference to the subject-matter of his testimony? A. Yes, sir.

Q. You may state to the Committee what that was. A. I called Mr. Glass's attention to his testimony, and also to the fact that, in 1889, October, I returned from the east, and, having two or three weeks' idle time, proposed to him to take some pictures in the town and in the territory, using his dark room and some of his equipments, to fill in the time taking pictures; and I asked him if it was not in 1889 that I told him that I had some flash powder, and would give him some, or show him about the use of it. He said he remembered it was in 1889, and it was possible he was mistaken about 1888.

Q. When he said in 1888? A. When he said 1888, he was possibly mistaken.

Q. Since you have testified, have you had any conversation with C. A. Henrie with reference to the description you gave of the individual who delivered to you the box of dynamite, or explosive substance, on the 18th day of October, 1888? A. Well, I do not remember any particular conversation that I had with him, except

the one after the adjournment of the sitting of this Committee in the supreme court room. I think it was immediately after I had testified. He congratulated me on my serenity of mind under your cross-examination; and as my testimony regarding his eyes was a little mixed, I called his attention to it. He said, "The reason of that is, that when I am excited, my eyes seem to grow darker." And that is about all I remember of that conversation. There were quite a number standing around; it was not a secret conversation at all.

Q. Did he in that conversation say anything about the peculiar manner in which he batted his eyes when excited? A. Yes, sir; he said he winked his eyes, and they became a little darker when excited—seeming to help me out in the description of his eyes.

Q. Who was present at the time you had this conversation? A. Mrs. Upham was standing beside me, my wife—quite a number were standing around, but I do not know who the others were.

Q. Now, when upon the witness stand before, I asked you a question: if you received from any political party any compensation for the purpose of going east—or words to that effect. Your answer to that question was "No, sir." Now I will ask you to state to the Committee whether the company for whom you were at work compensated or rewarded you, or gave you anything in particular, by reason of your misfortune? A. Yes, sir.

Q. Well, who was it and what was it? A. The superintendent, Mr. J. K. Johnson, paid me in his office in December, on my way to Boston to see Mr. Cheney about getting a position, \$200. When I returned from Boston in January to see my wife and daughter before taking my position permanently, he paid me \$550. I would like to say in this connection, that three or four days after the explosion I received a telegram from the company, E. M. Morsman, at Omaha. The message I have with me, and would like to put it in as evidence.

Q. If you have it, produce it?

Witness produces paper. It was offered in evidence, marked Exhibit 58, and was as follows:

[EXHIBIT 58.]

THE WESTERN UNION TELEGRAPH COMPANY.

[Printed Matter.]

No. _____	Sent by _____	Received by _____
7 Hy.	2	B. 25 D. H.
Received at 5:32 P. M., October 21, 1888.		Dated OMAHA, NEB., 21.
To H. M. Upham, Agt. P. & E. Co.: Accept my heartfelt sympathy. Have best medical attendance. Leave nothing undone to arrest and punish the miscreant. Make needed house repairs. Company will do proper thing.		
		E. M. MORSMAN.

Q. Have you recently received a communication from the office of the Pacific express company, relative to your connection with such company? A. Yes, sir; this letter I hold here, I received from Mr. Morsman—sent after the telegram. It was in answer to a letter I wrote him, thanking him for his sympathy.

The letter was offered in evidence, marked Exhibit 59, and was as follows:

[EXHIBIT 59.]

OFFICE OF THE PRESIDENT.
PACIFIC EXPRESS COMPANY, OMAHA, NEB., December 11, 1888.

[Explosion at Coffeyville.]

Mr. H. M. Upham, Agent, Coffeyville, Kansas—DEAR SIR: I have your letter of December 10th, and am much pleased that your wife and daughter are getting along so well after the severe accident. They must have suffered terribly, and I think have borne it wonderfully.

I will advise you further at an early date, regarding the expenses attending.

Yours truly,

E. M. MORSMAN, President.

Q. Have you received recently any letters from the company with reference to your relation to the company? A. Yes, sir.

Q. Have you that letter in your possession? A. Yes, sir.

Q. Is that the letter you now hold in your hand? A. Yes, sir.

The letter was offered in evidence, marked Exhibit No. 60, and was as follows:

[EXHIBIT 60.]

G. W. MOORE, }
Ass't Supt. }

PACIFIC EXPRESS COMPANY.
ASS'T SUPERINTENDENT'S OFFICE, KANSAS CITY, MO., April 2, 1891.

Mr. H. M. Upham, Topeka, Kansas—DEAR SIR: Relative to your leaving the employ of this company as agent at Coffeyville, we wish to say that said change was voluntary upon your part, and not caused by any request of the company. The fact that you were given employment on your return, shows conclusively that you left our service voluntarily and in good standing. In addition, I would say that the company reimbursed you to the amount of \$750, I think, to help you out on the expenses caused by the explosion. This I know from actual knowledge, as I was present when the payment was made to you.

I trust this may enable you to controvert any statements or insinuations against your character, and also to convince the Committee that the company did assist you.

Yours, etc.,

G. W. MOORE, *Ass't Superintendent.*

Q. You heard the testimony of Jim Connor, did you not? A. Yes, sir.

Q. I will ask you to state to the Committee, if at the time of the accident at your house on the 18th day of October, 1888, you had prior thereto had any difficulty whatsoever with your wife? A. No, sir.

Q. You heard the statement made by Mr. Connor while on the witness stand? A. Yes, sir.

Q. At that time was there any insurance upon your wife's life? A. No, sir.

Q. Your attention was called to the express book in your charge and under your control in 1888, upon yesterday during my absence, together with the way-bill. I will ask you to state to the Committee now if you have any explanation to make in relation to the facts surrounding that act or the contents of the book or the entries therein? A. Yes, sir; because I promised this Committee that I would explain that transaction regarding the way-bill. In the first place, it is my custom to enter on my books packages that I thought better to take to my house for safe keeping for that night train, as I had no separate office, other than the back part of that store, which was all open, and if I did not make a record of anything I took home I might forget to make the record or not get it right. Regarding the way-bill which I made and left on the desk: After the explosion, and my wife and daughter had been made comfortable, I wrote a note to Mr. Sturr, a clerk in the store, and gave the note and my keys to my brother, who went down and found the entry on the book and found the way-bill, so I have been informed; and my brother returned to the house with that original way-bill folded up, and handed it to me, with a small package that he and Mr. Sturr had done up, as he told me, to go out as a decoy on that same train that the other box was intended to go on, which was at half-past 4 in the morning. That was sometime during the night—between 6 and 12 that night. I laid the package on the table and the way-bill on the mantel-shelf, and called the attention of some one, I think it was a colored man who was on duty during the night, to see that that package was taken to the station with that way-bill. I was up all night, and toward morning, after daylight, I found that way-bill on the mantel-shelf and the package gone. And by inquiry I found the package had been taken down to the station and the way-bill left. I do not know just what time in the night that package was taken. What became of that original way-bill I am not able to state now. There was so much excitement for a few days; my house was in a state of chaos, and many things got destroyed—papers and things.

Q. You stated upon your examination-in-chief, and when upon the witness stand before, that you knew the ends of the box, which you described, were composed of lumber one inch thick? A. Yes, sir.

Q. You may state to the Committee why you made that statement, and give the

reasons, if any you have, for such statement. A. I have constructed a box as near in shape and size and material as the box brought to my office on or about 11 o'clock, of October 18, 1888. From the fact that the man asked me to mark it, I wrote out a card, and turned the box over to find a solid place to put the tag on, and selected the ends, which by the nails shows conclusively that it was thicker than the sides. I submit that box to the Committee as being identical as the box brought to me, including the screws in the top of the box. [The witness laid a box on the table.]

Q. The top of the box was screwed on? A. Yes, sir.

Q. And the box you have handed the Committee substantially represents the box that contained that which exploded at your house, and caused your misfortune? A. Yes, sir; I should call it a *fac simile*. In my mind, that is about the shape and size.

Q. After the explosion at your house, did you prepare any writing and description of the person as you at that time remembered it—meaning the person that left the box with you? A. Yes, sir.

Q. Have you that description with you? A. Yes, sir.

Q. Do you remember to whom you delivered that, if anyone? A. That was my own property. I have always kept it in my possession.

Q. Did you have any conversation with any person about it after or immediately after its preparation? A. Soon after the preparation, I had some conversation with several parties in relation to that description—that paper.

Q. Are any of the persons present now? A. Yes, sir.

Q. Who? A. Mrs. W. S. Upham.

Q. Is this the description of the person that you wrote? A. Yes, sir.

Q. At whose suggestion did you prepare that writing? A. Deputy Sheriff Clifford.

The description was offered in evidence, marked Exhibit 61, and was as follows:

[EXHIBIT 61.]

COFFEYVILLE, KANSAS, Oct. 18, 1888.

DESCRIPTION OF MAN AND BOX.—The man was about my height, (I am five feet and one-half,) and wore blk. clothes, frock coat, blk. slouch hat; had full, black whiskers, not very long; he was dark-complexioned, and had black eyes, and worked them as though they were weak; had mark on upper part of nose like a scratch, or may have worn glasses; his voice was sort of broken, like foreigner; said his name was P. Jason, and said box had some bottles of medicine; box was about eight or ten inches in size, and made of pine, $\frac{1}{2}$ -inch sides, and ends one inch; to go to J. Loudon, Winfield; weighed about five lbs.

I wish to make one correction in my testimony. When the Committee was in session in the supreme court room, I testified that when I went to Independence with my sister-in-law, three or four weeks after the explosion, I took dinner with Mr. and Mrs. Kingsley at Judge Chandler's house. I wish to correct that by saying that I took dinner with Mr. and Mrs. Kingsley, at their house; and that I did take dinner with them at Judge Chandler's at another time, before the explosion.

The witness was excused from further attendance upon the Committee.

Mrs. HENRY UPHAM, being recalled for further examination, testified as follows:

Examined by Mr. Henderson: Q. You have become acquainted with Mr. C. A. Henrie since you have been in the city of Topeka? A. Just here in the court room; just a speaking acquaintance.

Q. Have you had any conversation with him, or have you heard any conversation between himself and your husband, relating to the description which your husband gave of the person who delivered to him the box of dynamite at Coffeyville on the 18th day of October, 1888? A. On the afternoon that Mr. Upham was asked to identify him, after the adjournment, I said to him, "Mr. Henrie, what is the color of your eyes?" I said I would have said blue, but Mr. Upham said gray. He said, "They are blue, but they turn to gray when I am excited."

Q. Was there anything said about the peculiar batting of the eyes when excited?
A. No, sir.

Q. You heard no such statement? No, sir.

The witness was excused from further attendance upon the Committee.

Mrs. W. S. UPHAM, being duly sworn, testified as follows:

Examined by Mr. Henderson: Q. You may state your name to the Committee.

A. Mrs. Emma Upham.

Q. Where do you reside, Mrs. Upham? A. Coffeyville, Kansas.

Q. Are you acquainted with Henry Upham? A. I am.

Q. What relation, if any, do you bear to him? A. Sister-in-law.

Q. You remember the fact of the explosion at his house on the 18th day of October, 1888? A. I do.

Q. Do you remember of having seen that evening or the following morning, any written description that he gave of the person whom he claimed to have delivered the box of dynamite to him at his office in the city of Coffeyville, on that day? A. I do.

Q. Calling your attention to Exhibit 61, I will ask you to state to the Committee, if that is the description that you read at that time? A. I heard this read that evening after the explosion.

Q. You heard it read? A. I heard it read. It was not passed to me. It was read to my husband and Mr. Clifford.

Q. Was there anyone present at the house besides your husband and Mr. Clifford? A. The house was full.

Q. Was there anything said in that conversation, as suggested to Mr. Upham to prepare that writing, if you remember? A. It was at the suggestion of my husband or Mr. Clifford.

Q. You do not remember? A. I do not.

By Mr. Curtis: Q. Do you know whether Mr. Clifford took a copy of the description or not? A. I do not.

The witness was excused from further attendance upon the Committee.

Mr. Henderson offered in evidence a postal-card, received by Prof. Vincent, signed J. W. Harlan, M. D., and addressed to H. and L. Vincent. The same was marked "Exhibit 62," and was as follows:

[EXHIBIT 62.]

KANSAS CITY, KANSAS, October 5, 1889.

DEAR SIR: In a card I wrote to the *Jeffersonian*, I am represented as saying, "These statements are true; as they are, it necessarily follows that C. A. H. is innocent of the charges preferred against him." After I had heard what the friends of C. A. H. had to say, according to promise I had the statements inserted, and in the concluding remarks said, "If the above statements are true," etc.; not "they are true." It must have been a mistake by the printer. Yours respectfully, J. W. HARLAN, M. D.

HENRY VINCENT, being recalled for further examination, testified as follows:

By Mr. Henderson: Q. Are you acquainted with Edwin French? A. I am not.

Q. You know of Edwin French, whose affidavit has been introduced in evidence in this investigation? A. I do.

Q. Did you obtain from any source any information as to his probable whereabouts, about the time of the beginning of this investigation? A. I understood that he was at Salina.

Q. Did you go to Salina for the purpose of finding him? A. I did.

Q. Did you succeed in finding him or ascertain his then whereabouts? A. I made repeated inquiries about the town, where he had been known, and shops where he worked. The proprietor had made a complete change of all his hands; none of them knew where Mr. French had moved when he left town. The postman on that route knew Mr. French when in town; said he had left no post-office address when he went away, and that letters had been sent to the dead-letter office that had been addressed to him.

The witness was excused from further attendance upon the Committee.

Mr. Henderson offered in evidence two letters from Mr. Greer to Mr. Upham. The genuineness of the letters was admitted. They were marked Exhibits 63 and 64, and were as follows:

[EXHIBIT 63.]

[Printed matter.]

THE WINFIELD COURIER.
ED. P. GREER, Editor and Proprietor.
WINFIELD, KANSAS, July 22, 1889.

H. M. Upham, Esq., Lewiston, Maine—DEAR SIR: The Vincent Bros., publishers of the *American Non-Conformist*, have been publishing a series of articles upon the dynamite explosion at Coffeyville, and have made direct charges that myself, Governor Humphrey and Henry Booth, with others, were accessories to a plot relating thereto. In this connection they have stated that we secured your removal from the state of Kansas, and secured a position for you, through James G. Blaine, with an express company of which Blaine is a director, in order to remove you from this locality and close your mouth with reference to our transaction in the dynamite matter.

Will you kindly write me, detailing such facts in relation to that explosion and to your subsequent removal to the state, and present location, and your theory in regard to the explosion, as you may have? There is a current feeling at the present time at Coffeyville, growing, perhaps, out of the fact that we have never been able to establish the slightest clew in relation to that explosion, that the explosion was the result of a combination of chemicals which you were using in the prosecution of certain experiments in photography.

It has also been stated, and comes to me as a matter of rumor more than anything else, that the box which it was thought had created the explosion has since been found, and found to contain surveyor's instruments. Is this a fact, and is there any ground in your mind for believing that the explosion was occasioned by chemicals which you were using? I desire above all else to get at the facts in this case, and desire as well if there is guilt to bring the guilty parties to justice. The matter is being used by the Vincents as a political matter, and they are intending to persecute you, myself, and others, with it. I shall go after this outfit without gloves, and desire to be possessed of all the information which you may have in relation to the matter. Please give me the fullest details.

As this is the first communication we have ever had, and as I have never seen you or talked to you I wish you would so state in your communication to me. I wish also that you would state how and why you came to leave the state, and deny emphatically (if such denial is the truth), the statements and situation attributed to you by the Vincents.

I have never believed or thought that that explosion or dynamite, if it was deposited there, was deposited for the purpose of injuring me or mine. It seems to me that the act of blowing up my property would, at that time, have been conclusive evidence that the Vincents and their allies were responsible for it; and they must have known that they would have suffered vengeance at the hands of an enraged public. They are not fools; and, while they are prejudiced and vicious men, they certainly have enough brute sagacity not to have done a thing of that kind and thus have brought swift vengeance upon themselves. I believe that if the explosive was deposited in your office it was deposited by their allies, intending that the same should come to Winfield, go into their family, be there discovered, and taken to the suburbs of this city and exploded. Such explosion would not have been a criminal act, and they could have used it as a counter-irritant to the exposure of their connection with the Vidette order. This, to my mind, is the most reasonable theory in the matter. It also explains why the party who deposited the box has never been found. Had the box reached its destination and exploded without harm, this party, having committed no crime, could have come to the front and sworn that myself, Henry Booth, and other prominent republicans, had hired him to deposit the box; but, the explosion having occurred prematurely and injury to your family sustained thereby, this party dare not uncover himself, and the strength of their organization and its complicity in the matter has successfully sheltered him.

These are given as some of my ideas, and are founded purely upon my theory of the causes which would impel a person or persons to do such an act. I would like to have a full statement from you at your earliest convenience, over your own signature. It would also be a good thing if you would make affidavit to the facts (if they are facts) that you removed from the state of your own free will, and have

never had either correspondence or conversation with me or with other parties who were charged by these Vincents with having enticed you to remove.

Hoping that you will give this matter your earliest attention, I remain,
Very respectfully yours,

E. P. GREER.

[EXHIBIT 64.]

[Printed matter.]

THE WINFIELD COURIER.

ED. P. GREER, Editor and Proprietor.

WINFIELD, KANSAS, Sept. 17, 1889.

H. M. UPHAM, *Coffeyville, Kansas*—DEAR SIR: Yours of the 16th inst. at hand, and we have sent you by this mail twenty copies of the *Courier* containing article. We will also secure for you several copies of pamphlet.

I shall certainly commence action against the Messrs. Vincents, within a reasonable length of time unless they exonerate me from the charge. I believe that in view of the libelous statements they have made against you, that you should also commence an action against them, both civil and criminal. I think the proper way for us to do, would be, if these gentlemen do not exonerate us wholly, for yourself, Poorman, Henrie, Booth, myself and others, to all proceed against him, each individually, one after the other. In this way we could certainly make it very interesting for these gentlemen. I do not believe these suits should be commenced before two or three weeks, so that we could give them a reasonable and fair opportunity before the public to retract their statements, and so that it will divest our action of any malice, or appearance of oppression. They will attempt, no doubt, to make it appear that we are trying to crowd them to the wall, and I think by repeatedly calling upon these gentlemen for a fair and honorable retraction and their refusal to give it would place them in the position of the aggressors.

Please advise me as to what you intend to do in the matter, if anything.

I would like to meet you and would like to have you run over if possible.

Yours very truly,

E. P. GREER.

Mr. Henderson announced they had no more testimony to offer, and that they would rest the case in behalf of the prosecution.

ADDITIONAL TESTIMONY IN BEHALF OF THE DEFENSE.

MR. CONNOR, recalled for further examination, testified as follows:

Examined by Mr. Dawes: Q. You are the same Connor who testified in this case before, are you? A. Yes, sir.

Q. Formerly sheriff of Cowley county? A. Yes, sir.

Q. Was you present yesterday when Mr. Waldrop testified? A. Yes, sir.

Q. You may state if, in your investigation concerning the Coffeyville explosion, you called on Mr. Waldrop, at Valeda. A. Yes, sir; I was at his depot.

Q. Did he say anything to you about two strangers having been at the depot on the evening of the 18th of October—the day of the explosion? A. Yes, sir; I made inquiries of him first.

Q. Did he give you a description of the parties whom he claimed had been there? A. Yes, sir.

Q. Please state to the Committee what description he gave you. A. Both of the parties?

Q. Yes, sir. A. He told me one of these men was a large man, considerably above the medium size; the other was smaller, and considerably below the medium size. He described their clothes—as wearing dark clothes, both of them. I do not remember of him describing the beard of the smaller one, but the larger one he described as being of about four weeks' growth.

Q. Did he say anything about how old the larger one was? A. I think I asked him about his age, in studying the matter over; but I don't believe he gave me the man's age. When he gave me a description of the man, I asked him in regard to the above medium-sized man. I said to him, "as large as I am myself?" He said, "No, sir;" but he described him as a man with a full round face and for his features he said he was—that the waiting room was dark and for his features, he could not describe them well. He said the two were in conversation regarding politics. He said the larger of the two said, "That he had previously voted the union labor ticket, and that at this fall election he was going to vote it three times more." That is about the description given me. He said that in talking about votes was what called his attention to them.

Q. Now, at that time you knew Mr. Henrie, did you? A. Yes, sir; I have never been personally acquainted with him until I saw him here.

Q. You had seen him before that time? A. Yes, sir; I had met him at the Wichita convention.

Q. From the description he gave you of the man, it did not lead you to look in the direction of Henrie any longer? A. No, sir; that colored man would be about the sized man [pointing to Dick North] I would look for.

By Mr. Henderson: Q. How was you dressed when you went over there, Jim? A. I had on a gray suit of clothes.

Q. Did you go as sheriff or detective? A. No, sir.

Q. Did you go there as a laboring man? A. No, sir.

Q. Did you go as a railroad man? A. No, sir.

Q. What did you go there for? A. Find out what I could.

Q. Who did you go to see? A. I understood the men were there, and I wanted to see the agent.

Q. When did you go? A. I think it was Wednesday evening after the explosion.

Q. From whom did you obtain the information that two persons had been at the depot—of this young man? A. From a man at Coffeyville.

Q. Was that man Mr. Clifford? A. No, sir.

Q. Did that man give a description of the persons there? A. No, sir.

Q. Who was the man you met in Coffeyville that told you? A. The same man that I had got to try and have an interview with the girl that worked at Upham's.

Q. What was his name? A. I do not know. He belonged to the Knights of Labor, and if I had a list I could tell.

Q. You don't remember his name? A. No, sir.

Q. Do you know where the man is now? A. I think he is in Nevada, Missouri.

Q. Did he live in Nevada at the time? A. No, sir; Coffeyville, Kansas.

Q. How long was you in conversation with Mr. Waldrop? A. About as long as I have been on the witness stand. Perhaps a little longer.

Q. Tell the Committee what conversation you had with Mr. Waldrop, and the order in which it occurred? A. I went to the depot about a half an hour after the freight train arrived from the west. I think the train was late. I got off the train west of the depot, or southwest. I think that road runs northeast at that place; possibly it runs due east and west. I got off the caboose when the engine was about at the depot, and waited until the train pulled out. I did not want anybody to know that I came in on the freight. Then I went to the depot. I seen that he was the agent. There were two other parties in the depot, I think. As soon as I found out he was the agent, I began to make some inquiries.

Q. What did you say? A. Well, I said to him—this is the substance of the beginning of our conversation: "You are the agent here?" and he said "Yes"; I said to him, "You have told people that there were two men here that answered the description of the party who delivered the box of dynamite in the express office at Coffeyville. He said there were two strange men there. I asked him to describe them, and he went on and in detail described them.

Q. What did he say? A. He said there were two men—one a large man, and one a small man. I asked him what about the large man, and he said one was above a medium-sized man, and the other below a medium-sized man. He described his clothes as being black. I was only paying attention to the larger man of the two. The fact that I wanted to get the man that answered the description as given to me by Mr. Clifford the night after the explosion, and as I heard it from different parties in and around Coffeyville after going up there.

Q. Have you told all? A. All what?

Q. All that was said by you and Mr. Waldrop? A. No, sir.

Q. Go ahead. A. He described the clothes, and possibly the clothes of both. My memory only bears me out in the larger one, and that is the only one that impressed itself on my mind. I think he said they both had black hair and black beard, but the larger one had the longest growth of beard.

Q. Is that all? A. About all.

Q. At the time Mr. Waldrop was on the witness stand yesterday, you were in the court room? A. Yes, sir.

Q. You went and sat down by Mr. Henrie during the testimony of Mr. Waldrop? A. I think I was sitting by Mr. Henrie.

Q. You and he had a whispered conversation at the time? A. I told Mr. Henrie I had seen him before.

Q. I did not ask you what you said, but I thought you had a secret consultation? A. It was not secret.

Q. And you said since you have been here in Topeka that you knew who deposited the box in Coffeyville? A. Yes, sir.

Q. Why have you not so stated to this Committee? A. My judgment is there never was a box deposited by any man in the express office at Coffeyville.

Q. Then you have stated heretofore that you knew, or in your judgment knew that you knew, who was responsible for that explosion. Who do you mean? A. I

do not know that I have ever said that I knew who was responsible. From all the information I could find out, it led me to believe that the party who was responsible for that explosion lived in Coffeyville.

Q. Who was it? A. I do not know.

The witness was excused from further attendance.

The attorneys on both sides announced that they had no further testimony to offer, and would rest the case.

The chairman inquired whether the attorneys desired to make any oral arguments in the case; and after some discussion on the subject, the attorneys on both sides announced that they were willing to submit the case to the Committee without argument.

The chairman announced that all witnesses were discharged from further attendance upon the Committee. The Committee adjourned, to meet the following morning at 9 o'clock.

TOPEKA, Friday, April 3, 1891—9 o'clock A. M.

The Committee convened pursuant to adjournment. A quorum present. After approving such vouchers as were presented by witnesses and others, the Committee adjourned to meet at the Senate chamber April 27th, at 3 o'clock, P. M.; subject, however, to a further postponement in case the testimony was not printed prior to that time, in which event the members of the Committee were to be notified.

Owing to a delay in printing the testimony, there was no meeting of the Committee on April 27th, the same being postponed to May 4th, at 3 o'clock P. M. Notice whereof was sent to the members of the Committee.

TOPEKA, Monday, May 4, 1891—3 o'clock P. M.

Committee convened pursuant to adjournment. Present: Senators Kimball and Carroll, Representatives Carey, Bishoff, Senn, and Templeton.

It was stated to the Committee that the state printer would like to know how the Committee desired to have the report bound—whether in paper, boards and cloth, or leather. After some discussion of the question, Senator Kimball moved that the state printer be instructed to bind the proceedings of the Committee in the same manner as the reports of the Board of Railroad Commissioners are bound—that is, in cloth and boards.

Chairman Carey stated that Judge W. C. Webb had said to him that some of the testimony which had been introduced before the Committee seemed to reflect upon him, and that he desired the privilege of coming before the Committee and explaining the matter. After some discussion of the question as to whether the Committee would receive any further testimony, Mr. Templeton moved that Judge Webb be permitted to come before the Committee and make such statement as he desired to make in regard to the matter; and that the question as to whether it ought to go into record, or not, could then be determined. The motion prevailed.

Senator Kimball moved that the Committee hold a meeting to-morrow morning at 9 o'clock, and another meeting at 7:30 o'clock P. M., and that Judge Webb be notified thereof, and be permitted to appear before the Committee, at either of those meetings which best suited his convenience, which motion prevailed.

The Committee then went into executive session, to consider the matter of making a report.

At the conclusion of the executive session, the Committee adjourned.

TOPEKA, Tuesday, May 5, 1891—9 o'clock A. M.

Committee convened pursuant to adjournment. All the members present except Senator Mohler and Representative Crumley.

Senator Kimball announced that he had notified Judge Webb of the action of the Committee, and that he had stated that it would best suit his convenience to appear before the Committee at the meeting to be held this evening at 7:30 o'clock.

The Committee then went into executive session to further consider the matter of its report. At the conclusion of which, the Committee adjourned to meet at 7:30 o'clock P. M.

TOPEKA, May 5, 1891—7:30 o'clock P. M.

Committee convened pursuant to adjournment. All the members present except Senator Mohler. After waiting until 9 o'clock, and Judge Webb not appearing and sending no word explaining his absence, the Committee adjourned to meet to-morrow evening at 7:30 o'clock.

TOPEKA, Wednesday, May 6, 1891—7:30 o'clock P. M.

The Committee convened pursuant to adjournment. All the members present except Senator Mohler.

W. C. Webb appeared, and at his request was sworn, and his testimony taken by the stenographer.

At the conclusion of his testimony, the minutes of the previous meetings, from and including those of May 4, were read and approved.

Senator Kimball submitted to the Committee a draft of a report covering those matters concerning which the Committee could agree, and the same was read, and taken under advisement.

Senator Kimball said that he understood that certain members of the Committee had agreed to make a report charging or finding that the Republican party, or certain officers of the Republican committee for 1888, and other Republicans, were responsible for the explosion, or had a guilty knowledge thereof. That if this was so, it was certainly only fair to the persons who were to be found guilty, that members of the Committee who believed them innocent should have an opportunity of seeing and replying to the charges or findings that were to be made. That he and other members of the Committee believed that if the testimony was fairly stated and understood, there was nothing in the case that in any way indicated that the Republican party, or anyone connected with it, had anything to do with the affair; and this being so, he wanted an opportunity of showing in his report that any such inculpatory findings were not based upon the testimony; that so far as the report which the Republican members would make, there was no secrecy about it. He was willing to submit it to the members on the other side, and let them reply to it if they wished; and he thought they ought to be willing to do the same. That he had never before been on a committee where one faction went into secret session and got up a secret report which they would not allow the other side to see until the report on the other side was made and filed.

Chairman Carey said that they did not wish to have their report inspected by the Republican members of the Committee until their report was also ready, when they could both be submitted and filed at once. That they had decided to do it in that way, and should decline to permit the report to be inspected by the other side.

Messrs. Senn, Crumley and Templeton concurred with Mr. Carey in this action.

The Committee adjourned to meet the following morning at 9 o'clock A. M.

TOPEKA, Thursday, May 7, 1891 — 9 o'clock A. M.

The Committee convened pursuant to adjournment. All the members present except Senator Mohler.

The question as to whether the Committee should reopen the investigation for the purpose of hearing further testimony was discussed. It was announced that if the testimony of W. C. Webb taken on last evening was to be transcribed and made a part of the record, that the parties interested desired to have counsel present, to have his testimony read, and to have an opportunity of cross-examining him and introducing further testimony. The Committee decided that as Mr. Webb's testimony had no important bearing upon, or materiality to the subject-matter of the investigation, that it would not reopen the case, and that the testimony referred to should not be transcribed and made a part of the record.

The Committee adjourned to meet the following day at 1 o'clock P. M.

TOPEKA, Friday, May 8, 1891 — 1 o'clock P. M.

Committee convened pursuant to adjournment. Quorum present.

The report of the Committee, in so far as the Committee was able to agree, was adopted, and subscribed by the members thereof.

The following resolution was introduced, and adopted:

Resolved, That the Secretary of State be requested to send to each member of the Committee ten copies of the report of the proceedings and evidence, in addition to the copies provided for by the concurrent resolution adopted by the Legislature with reference thereto.

The Committee adjourned to meet the following morning at 9 o'clock A. M.

TOPEKA, Saturday, May 9, 1891 — 9 o'clock A. M.

The Committee convened pursuant to adjournment. A quorum present.

The stenographer was instructed to prepare a copy of the resolution authorizing the Committee to continue its investigation after the adjournment of the legislature, and furnish the same to the state printer, together with the proceedings up to and including this meeting, for publication.

The index which had been prepared by the stenographer was approved; and Senator Kimball was requested to see that the same was published with the report.

There was no further business, and the Committee adjourned *sine die*.

STATE OF KANSAS, ss.

I, Maude Smith, clerk and stenographer for the Joint Committee appointed to investigate the Coffeyville explosion, do hereby certify that the foregoing printed pages, numbered from 1 to 607 inclusive, contain a full and correct report of the proceedings of said Committee, and of the testimony taken and evidence received in the investigation of said explosion.

Witness my hand, this 9th day of May, 1891.

MAUDE SMITH, Stenographer.

REPORTS.

REPORT OF THE COMMITTEE SO FAR AS IT WAS ABLE TO AGREE.

TOPEKA, KANSAS, May 8, 1891.

HON. LYMAN U. HUMPHREY, *Governor of the State of Kansas*—SIR: The Joint Committee of the Legislature of 1891, appointed under House concurrent resolution No. 23, to investigate the facts connected with the explosion which took place at Coffeyville, in this State, October 18th, 1888, was by a subsequent concurrent resolution authorized to continue its investigation after the adjournment of the Legislature, and directed to make its report—to be printed with the evidence—to you. In accordance therewith, the Committee submits herewith the record of its proceedings and the evidence taken during such investigation, together with its report, in so far as the Committee has been able to agree; and to which are appended statements embodying the views of the members of the Committee upon those questions concerning which the Committee has been unable to agree.

As this investigation is somewhat political in its character, it may be proper to say that the Committee, as originally appointed on the part of the House, consisted of Representatives J. L. Andrews, Ezra Carey, O. M. Rice, C. C. Vandeventer, and C. N. Bishoff, the first four being members of the People's party, and the last named a Republican. Mr. Andrews resigned as a member of the Committee, February 23d, and was succeeded by Representative M. Senn. On the 25th of the same month Mr. Vandeventer resigned, and was succeeded by Representative Geo. W. Crumley; and on the 2d of March Mr. Rice resigned, and was succeeded by Representative T. M. Templeton; the members appointed being of the same political party as those whom they succeeded. The members of the Committee on the part of the Senate were Senators C. H. Kimball, J. G. Mohler, and Ed. Carroll, the first two being Republicans, and the last named a Democrat. Mr. Andrews, who had been elected chairman of the Committee, was, upon his resignation, succeeded in that position by Mr. Carey. Mr. Andrews died at Topeka within a few days after his resignation. We pause to pay a tribute of respect to his memory, and to the ability and fairness which characterized his action while a member and chairman of the Committee; and to tender our sympathy to his relatives and friends in their bereavement.

The Committee at its first meeting, February 13th, 1891, concluded to ask the Legislature to enact a law requiring witnesses summoned before legislative investigating committees, to answer all questions put to them touching the subject-matter of the investigation, even though their answers might tend to criminate them, protecting them from the effect of any such incriminating answers, and providing that the willful giving of false testimony before any such Committee should be punished as perjury; and the Committee decided if practicable, to await the enactment of such a law before taking any testimony. A bill introduced in the Senate by a member of the Committee, covering the ground indicated, was passed by that body on the 16th day of February, and was afterwards passed by the House, and took effect February 28d, 1891. On the next day thereafter, the Committee commenced hearing the testimony.

It seemed to the Committee, not only fair to all parties, but as likely to result in a more thorough investigation of the matter, to allow the parties who had made the

charges referred to in the resolution under which the Committee was appointed, and who were still insisting on the truth of the charges, to take the affirmative of establishing them, in so far as they were able to present any evidence tending to support them; and to allow the parties against whom the charges were made to take the negative side of the question, and to offer such evidence as they might have bearing upon the subject-matter. For convenience, these two sides have been generally designated in the proceedings and evidence as the prosecution and the defense, respectively.

For the purpose of still further promoting and facilitating a thorough investigation into all the facts and circumstances surrounding the subject-matter, the parties interested were authorized by the Committee to be represented by attorneys—Messrs. H. G. Webb and B. S. Henderson being employed to represent the prosecution and Messrs. F. B. Dawes and Charles Curtis to represent the defense. The action of the Committee in this respect was seemingly approved by the Legislature in making an appropriation to remunerate the attorneys for their services. The attorneys so employed examined and cross-examined the witnesses, members of the Committee, however, extending or continuing such examination at pleasure.

The Committee has earnestly endeavored to carry out and accomplish the purpose indicated by the resolution under which it was appointed. It has secured the attendance of every person known or supposed to have any knowledge that would throw any light upon the subject-matter. It has secured the presence of witnesses from Ohio, Michigan and Colorado by advancing traveling expenses, etc., and from various parts of the State by subpoena. No person whose attendance as a witness was desired, even though beyond the reach of the compulsory process, has failed or refused to respond to a request for his attendance. These witnesses, more than seventy-five in number, have been carefully and searchingly examined and cross-examined in the presence of and by members of the Committee. Much of the testimony offered seemed to have little or no bearing upon the subject of the investigation, but it has been received by the Committee in the hope that it would afford some clue by which other testimony might be secured that would be relevant and material. The fact that on the 18th day of October, 1888, at about half-past 4 o'clock in the afternoon, an explosion occurred at the house of Mr. H. M. Upham (the Pacific express agent at Coffeyville), whereby his wife and adopted daughter, Mabel, were severely injured and a portion of his house shattered and blown to pieces; the fact that Mr. Upham, as he stated at the time, attributed the explosion to the contents of a box which he said had been left with him that day by a man who gave the name of P. Jason, to be shipped to L. or J. Loudon at Winfield, Kansas; and many other details connected therewith, were undisputed and well known to the public about the time the unfortunate occurrence happened. In this connection a brief résumé of the testimony bearing directly upon the explosion itself and the effects thereof, may not be out of place.

That part of Mr. Upham's testimony was in substance as follows: He testified that about 11 o'clock in the forenoon of the day of the explosion, October 18, 1888, a man, whom he describes, brought a pine box, about eight or nine inches square, into the express office; and, after making some inquiry about when the trains would leave, and being informed that the first train that carried express left at 4:30 the next morning, said he wanted to send the box by express to J. Loudon, at Winfield, Kansas, paid the charges, 25 cents, and said he wanted no receipt for the package. That when he, Mr. Upham, first asked this man his name he said it was no matter; and when again requested to give his name, gave the name of P. Jason. Said the box contained glass, medicine in bottles, and he wanted it handled very carefully—not thrown on the dray, or left at the depot; and being assured that it would be

handled carefully, turned and went out as Mr. Upham was fastening a tag on the box. Mr. Upham described the man who shipped the box as being about his height—five feet six inches; weighing 140 or 150 pounds; about forty years old; dark complexioned; small, black eyes, which he frequently opened and closed when talking with him; full dark beard; mark of having worn glasses on the bridge of his nose; dressed in dark or black cloth clothing, worn shiny—not working clothes; soft hat, and shoes. Mr. Upham says that he entered the box on the forwarding book, made out a way-bill, left it on his desk, put the box in his wagon, drove home, arrived there a little before noon, put the box in a small, dark room which he had partitioned off from the laundry or summer kitchen, and which he, being an amateur photographer, used in connection with his work as such. That about 1 o'clock he went back to his office, returned to his residence again at 2:30 or 3 o'clock, and when Mabel returned from school asked her and Mrs. Upham to go with him and see Mabel's picture developed. That the three went into the dark room; he closed the door, put the plate in the solution, went out to get a pail of water, and just as he, returning with the water, had entered the summer kitchen the explosion occurred. (23, 24, 25.) The room, he says, was immediately filled with a sulphurous smoke, but there was no fire.

Beyond the injury to Mrs. Upham and Mabel, the effect of the explosion was to demolish the dark room; shatter and force off some of the boards composing the outer walls of the kitchen; to break a hole through the north door of the kitchen, about seven feet away from the dark room, and through the south door, which was about five feet from the dark room; raise the roof so that it stood open at the comb; break a hole through the kitchen floor about three feet in diameter, and through the ceiling of the cellar; breaking a large pine box which was in the cellar directly under the dark room; and breaking a hole in the cement floor of the cellar.

Mrs. Upham's testimony is corroborative of her husband's, as to the box being brought home and placed in the dark room, the invitation to go into the dark room to see the plate developed, and the fact that Mr. Upham was out after water when the explosion occurred. She testifies that she did not see the box after it was taken into the dark room, but that she saw it taken in there, and that she heard a sissing noise for a second or a moment just before the explosion; and beyond that she knows nothing as to the cause of the explosion, except what she was told after she had partially recovered.

Mabel Upham's testimony is corroborative of Mr. Upham's as to the invitation to go to the dark room to see the plate developed, and the fact that he was after water when the explosion occurred. She remembers hearing the report of the explosion, but nothing further; says she did not hear the sissing noise to which Mrs. Upham testified, and did not see the box—never heard of it, in fact, until after she had so far recovered that persons talked to her about it. She says it was not her picture, but an outdoor picture, which Mr. Upham was developing. (Record, 17-22.)

Dr. Wood, the physician who attended Mrs. Upham and Mabel, testified that after Mabel had partially recovered from the shock, about eight or ten days after the explosion, she told him, in response to his questioning, that she and her mamma were standing very close together in the dark room, and her mamma hit a little box that was sitting on the floor with her toe, when there was a sissing noise and it exploded, (record, 569); but Mabel herself testified that she never saw or heard of the box until after she had practically recovered, when she was told about it, and that she heard no noise preceding the explosion. (Record, 20, 21.)

The wounds received by Mrs. Upham, caused by the explosion, were numerous and very severe. The flesh was nearly all blown or torn from her left foot and ankle, the cords even being torn and cut away, and the muscles of the left arm and

leg torn and lacerated, with cuts and punctured wounds on other parts of her person. The injuries received by Mabel were also very severe. The bones of her right ankle were broken, and a part of one bone was blown away, with numerous wounds where the flesh was torn, lacerated, and cut.

Dr. Wood testified that in those wounds upon Mrs. Upham and Mabel, he found particles of bran, chopped oats, wood fiber, shreds of clothing, small pieces of glass, etc.

As to just what it was that exploded, or caused this explosion; whether it was accidental or intentional, innocent or criminal, and if the latter, who was the criminal, and what was the motive, were questions about which there have been many opinions.

One theory has been that the explosion resulted either from the careless or improper use of chemicals or explosives used in photography—Mr. Upham being an amateur photographer—or was the culmination of a deliberate plan on his part to destroy his wife and possess himself of her property; and that the story about the box being left for shipment to Winfield was an invention of Mr. Upham's, to shield himself from the blame or suspicion that would rest upon him in case the truth was known or suspected.

Another theory has been that it was the work of members of a secret, oath-bound organization, known as the National Order of Videttes. That the dynamite or explosive, whatever it was, was intended by members of this order, for use in blowing up the office of the *Winfield Courier*, for the purpose of preventing a further expose that was about to be published, or in revenge for a partial expose that had been published, of the secrets of this order; and that the explosion of the box at Coffeyville was premature and accidental.

Still another theory has had its adherents, who openly charged that the explosion was a part of a plan, or the result of a conspiracy to which the Republican State Central Committee, through its officers, Henry Booth, Chairman, and Bion S. Hutchins, Secretary, and other prominent Republicans in the State, were parties. That in order to give additional emphasis, or dramatic effect to the expose of the Videttes, which was about to be published simultaneously by many of the Republican papers of the State, it had been planned to have an explosion at Winfield, whereby the office of the *Courier*, the paper first publishing the expose, was to be destroyed; that a part of the dynamite was to be secreted in or about the office of the *Non-Conformist*, a paper published by the Vincent Brothers, to be found there after the explosion so as to convict them, and other members of the Videttes, of being dynamiters and anarchists as had been charged. That the dynamite was shipped for that purpose, the explosion at Coffeyville being premature and unintentional. That Ed. P. Greer, the editor of the *Winfield Courier*, and C. A. Henrie were parties to this conspiracy, the latter being the man who delivered the box to Mr. Upham at Coffeyville, and who was rewarded for his part in the plot, and for his silence, by an appointment as clerk in the Labor Bureau.

As to what are the true answers to the questions suggested, or the true theory upon which to account for this explosion, the Committee is unable to agree, and, as before stated, the several opinions entertained will be hereto appended.

C. H. KIMBALL,
J. G. MOHLER,
EDWARD CARROLL,

Members of the Committee on the part of the Senate.

EZRA CARY,
M. SENN,
G. W. CRUMLEY,
C. N. BISHOFF,
T. M. TEMPLETON,

Members of the Committee on the part of the House.

REPORT OF SENATORS KIMBALL AND J. G. MOHLER, AND REPRESENTATIVE C. N. BISHOFF, THE REPUBLICAN MEMBERS
OF THE COMMITTEE.

TOPEKA, KANSAS, May 9, 1891.

TO HON. LYMAN U. HUMPHREY, *Governor of the State of Kansas*—SIR: The undersigned, members of the Joint Committee appointed to investigate what is known as the Coffeyville explosion, in addition to those matters contained in the report subscribed by the entire committee, submit the following report, containing:

First: Some special findings as to the charges made or recited in the resolutions under which the Committee was appointed.

Second: Some general observations, for the purpose of grouping together certain facts, and preserving in history, what is now generally known and understood, that this investigation, instead of being instituted for the laudable purpose of exposing and punishing a crime, was urged and advocated to gratify feelings of personal hatred, and a desire for revenge; and was taken up and foisted upon the people of this State by the Alliance party, at an expense of \$12,000 or more, for political buncombe merely—for the sole purpose of endeavoring to smirch the Republican party, and gain some political advantage.

Third: As the resolutions charge that a person now in the employ of the State was implicated in the conspiracy which resulted in the explosion; and as it was and is a matter of public knowledge that Mr. C. A. Henrie, a clerk in the Bureau of Labor, was the employé against whom this charge was directed; and in view of the fact that the four members of this Committee belonging to the party responsible for this investigation have, in secret session to which no other member of the Committee was admitted, prepared a report, which they refused to exhibit to the Committee, and which they have announced their intention of secreting until our report is submitted (p. 606), but in which report it is understood that they have found that the charges made or recited in the resolution referred to are true, and have endeavored to sustain such findings by inferences, deductions, and extracts from the testimony; and in view of the further fact, that these members of the Committee, or some of them, have from the beginning of this investigation indicated that they believed that Mr. Henrie was the man who delivered to Mr. Upham the box which exploded; and that the only way that the Republican party could be connected with the crime was through Mr. Henrie—in view of these facts, we have thought best to append a third subdivision, which will be devoted to some further findings and conclusions, not only as to the whereabouts of Mr. Henrie on the 18th day of October, 1888, but as to other relevant matters with reference to the testimony supporting them. With this preliminary statement we submit the following:

I.—SPECIAL FINDINGS.

1st. If it is true that a man known or unknown to Mr. H. M. Upham brought a box to the express office at Coffeyville and left it with him to be shipped to Winfield, as he says, and that it was this box, or the contents thereof, which exploded, then we find, after a careful consideration of the testimony, that there is an entire absence of evidence from which we are able to locate or identify the person who left the box at the express office, or, if the purpose was criminal, from which we are able to say what crime was intended, the motive thereof, or the purpose to be accomplished.

2d. We find further, that the explosion was not the result of any conspiracy instigated by the Republican State Central Committee, or in which any member of that party or any employé of the State was implicated, as charged in the resolutions.

The proof is clear and convincing that the use or explosion of dynamite was no part or plan of the Republican State Central Committee for conducting its campaign; that it had nothing whatever to do with the explosion at Coffeyville, and was in no wise responsible therefor; and that Henry Booth, Bion S. Hutchins, E. P. Greer, C. A. Henrie, and George W. Poorman were not in any way connected with the explosion, or accessory thereto.

3d. We further find that there is an entire absence of testimony showing or tending to show that the failure to investigate this alleged crime in the courts has been caused by the neglect or refusal of any public officer to perform his sworn duties in reference to the matter, as charged in the resolutions.

4th. The findings already made show that the charge that you, having been advised of Mr. Henrie's connection with the explosion, and as a reward therefor, secured for him the position which he now holds as clerk in the Bureau of Labor, cannot be true; and we find that your action in recommending or assenting to the appointment of Mr. Henrie was uninfluenced by any such consideration.

II.—SOME GENERAL OBSERVATIONS.

(The figures in parentheses will refer to the pages of the record, where the testimony or proceedings may be found supporting the statements made.)

That the student of the future may understand, as the people of this day and generation understand, that feelings of personal ill-will and hatred, a desire for revenge on the part of the members of a secret, oath-bound political organization, and a hope to make political capital, were the motives for urging and instituting this investigation; that the facts in reference to the secret caucus report of the four Alliance members of the committee may be recorded and preserved, so that it may be understood and known for what it is—not as the honest, deliberate judgment of unprejudiced men, but simply as the final act in a drama, the cast and lines of which were laid down and well understood before the play commenced—a brief outline is here given of the situation, past and present, so far as it is relevant to the subject-matter of this investigation.

The political campaign of 1888 was one of great public interest and importance. Besides the Republican and Democratic, there were the Union Labor, the United Labor, and other presidential or national tickets in the field; and while it seemed certain that Kansas would be carried by the Republican national ticket, the contest on the State, Congressional, and local tickets in this State was spirited and vigorous. The Union Labor party, since merged into the Alliance or People's party, was an especially important factor in the fight, and it was believed that the local ticket supported by that party would be successful in many parts of the State; and members of that party were not wanting who professed to believe that their ticket would carry the State. At this time Henry and Leo Vincent were, and for a year or more had been, publishing a weekly paper at Winfield, known as the *American Non-Conformist*, politically supporting the Union Labor party and its candidates. The utterances of this paper, while in form denying it, were such as to convince intelligent and patriotic citizens that its editors, the Vincents, were in fact anarchists, and were in full sympathy with the red-flag anarchists of the Chicago strike. They denounced the execution of the Haymarket anarchists as "judicial murder." (431, 433.) In the issue of their paper of September 22, 1887, appears an editorial under the heading of "Must have their blood," which was in evidence, and from which the following is quoted:

"It may be of no avail to enter our protest at this late hour against this judicial murder, but we can at least show a contempt for the cowardly cringing of professed labor reformers at the feet of monopoly in their mad cry for blood. The monopolists are howling for blood; nothing else can satisfy. The people are becoming desperate, and an example must be made of those who have the nerve to pro-

test against this hell-born system of legal robbery; and the protestors—the people—given to understand that they must calmly submit to be robbed, or be hanged if they resist. That is what it amounts to.

"The monopolists (the modern slaveholders) are just that near-sighted as to fancy that the hanging of seven men is about to settle the question in favor of their supremacy, as they thought the hanging of that one man would settle the former agitation.

"Another thing: How happens the date for the execution to fall on the day that the State militia is to be in the city? Is there anything suggestive about that? Would this have been the case, had not the 'powers that be' known that the desperate legal murder they were ordering would call forth an outburst of popular wrath? And are they such fools as to think that two or three companies of State dudes can quell an insurrection of the magnitude such a crime will call out?

"To our mind, if Chicago wants to see bloodshed as she never saw it before, they have but to spring the trap to launch those seven men into eternity; and if Judge Gary hopes to escape, it would be no indiscretion on his part to join his co-workers and brethren in crime, the Chicago boodlers, and take a vacation in Canada."

The sentiments of the editors of this paper were so pronounced and well understood, that long before the Coffeyville explosion it was a common thing for the people to refer to them as "anarchists" or "dynamiters." (130, 132, 431.)

During this same period, Mr. Ed. P. Greer was, and before that time had been, publishing a daily evening paper at Winfield, Republican in politics, known as the *Courier*. Because of the sentiments expressed by the Vincents in their paper, Mr. Greer had denounced them as anarchists, and as men dangerous to the welfare of the community. As a consequence whereof, the Vincents were not particularly friendly towards him; and a certain expose and the comments thereon in the *Courier*, which will be referred to more fully hereafter, caused the relations between the Vincents and their associates and Mr. Greer to become so strained that there were those of the latter's friends who feared for his personal safety. (326, 327.)

At the State convention of the Union Labor party, held at Wichita in that year, it was noticed by members of that party that there was some secret organization working within the party, which absolutely controlled its movements and dictated its action, but to the deliberations of which, none but the initiated were admitted. (Testimony of Henrie, 177; of Connor, 400, 401.) Rumors became rife of the existence of this organization in Cowley county, and that it was treasonable, revolutionary, and bound together with oaths, whereby its members forswore their allegiance to the laws of their country in their obligation, under penalty of death, to obey the orders and preserve the secrets of the organization. This matter coming to the ears of prominent Republicans in that county, an effort was made to secure evidence of the existence and character of the order. One George W. Poorman, a printer who had been in the employ of the Vincents, and who knew that the secret work of this organization had been printed in their office (333), was employed and paid to secure a copy of it, and was successful in doing so. (329, *et seq.*)

On the 4th of October, 1888, the contents of this book, which contained the constitution, ritual, secret work, oath, etc., of the National Order of Videttes, were published in the *Courier*, together with charges that the society was secret, oath-bound, treasonable, and revolutionary in its character; that it was organized within the Union Labor party; that one of its objects was to control the action of that party politically; that the Vincents were members of the organization, and that the secret work of the order was printed at their office. (74, 76.) This has been spoken of by many of the witnesses in their testimony, as the first expose of the National Order of Videttes. There were many who feared the vengeance of the Videttes would be visited upon Mr. Poorman and Ed. Greer, or both, for the exposure of their order. Mr. Poorman believed, and was advised that it would be safer to go away, which he did at once. (97, 330, 333, 340.)

The Vincents, through their paper, in a public debate, and in conversation with members of their party, who were not members of the order, denied that there was

any such order in existence, and denounced the statements made in the *Courier* as campaign lies (74, 97, 120), and being believed by many members of their party, were thus enabled to materially diminish the effect that this expose would otherwise have had. Mr. Greer at once set about getting additional evidence of the existence of the order. Learning that the officers of the Republican State Central Committee had other important information bearing upon the case, he soon after went to Topeka, and in conjunction with Mr. Bion S. Hutchins and Mr. C. A. Henrie, assisted in preparing and putting into shape the final and conclusive expose of the existence and purposes of this order. (95.) This expose was published in the *Courier* on the evening of October 18th, and in the *Topeka Capital* and other prominent Republican papers in and out of the State, by previous arrangements, on the 19th. (95, 522, 543.)

The explosion at Coffeyville happened on the 18th, the same day that the complete expose was published in the *Courier*. As it was reported that the box of dynamite was billed to Winfield, there was much excitement there; and the two topics, the expose and the explosion, were the talk of the town. Many persons arrived at a conclusion, which perhaps was only natural under the circumstances, that the Videttes, who had heretofore been dubbed the dynamiters, were in fact responsible for the explosion; and that the dynamite was shipped to Winfield by some member of this organization, to be used either in wreaking vengeance upon those who had exposed their secrets, or to prevent the second or more complete exposure that was published on that day.

In this connection, it should be noticed that there was a combination at that time between the Union Labor party and the Democrats, on the local ticket in Cowley county, and that the Winfield *Telegram*, a Democratic paper published there, and the *Non-Conformist*, were both supporting the same local ticket, the editors of the two papers being on intimate terms and in consultation daily.

As a kind of offset to the public talk and charges that the Videttes and Vincents were responsible for the explosion, Mr. J. W. Henthorne, local editor of the *Telegram* and correspondent of several other Democratic papers, conceived the idea that it would be a good political scheme to charge the explosion at Coffeyville upon the Republicans, as a part of their plan to bolster up or give effect to the expose. The matter was talked over with the other editors of the *Telegram*, and with the Vincents, and the plan was approved. (409.) And so it came to pass that on the next day after the explosion, and without a single fact to support the statement, special dispatches were sent out to the principal Democratic papers of the West, charging in effect that it was a part of the Republican plan to give effect to the Vidette expose to deposit the dynamite at Coffeyville, to be sent to Winfield and there secreted to be found in the possession of members of that organization, and thus be able to prove that they were in fact dynamiters as well as anarchists; and from that time until after the election the Democratic press in and out of the State teemed with so-called dispatches, editorials and clippings, in which the responsibility for this affair was charged upon the Republican party. The Vincents, as would be expected, approved of the plan, and their paper was not behind in the matter, there being this difference, however, that after the campaign was over the decent Democratic papers generally allowed the matter to drop. Not so, however, with the Vincents. It was the only good chance they had to get back at Mr. Greer for the punishment they had received at his hands, and they made the most of it. The exposure had broken the power of the order of Videttes and had much to do with the defeat of the Union Labor ticket in many localities in the State, and they and some other members of the order were bound to have satisfaction. The charges were kept up in the *Non-Conformist*; and by means of

ready-prints furnished by that office, republished in other Union Labor papers in the State. Gradually becoming more bold, they charged in their paper in May, 1889, that E. P. Greer, C. A. Henrie, Governor Humphrey, Bion S. Hutchins and Henry Booth were the direct agents of the Coffeyville explosion; and this was followed in the same year by the publication of a so-called "History of the Coffeyville Dynamite Outrage," which has been frequently referred to by counsel and the witnesses in this investigation as the "Red Book." It is a compilation of various newspaper articles upon one side of the subject. This book has been heard from in various portions of the State, and seems to have had a wide circulation. From it Mrs. Lease, and numerous other Alliance speakers during the last campaign, seem to have taken their text or drawn their inspiration. With the way prepared as we have seen; with the Alliance — formerly Union Labor party — in control of the House, with a chance to put up a committee, a majority of which would be prejudiced against the Republican party in this and other matters, it was easy for the Vincents, who were on hand early in the session, to secure the passage in the House of the resolutions under which the Committee was appointed. The Senate, being Republican, could have refused to concur in the resolutions; but a seeming unwillingness to join in the investigation would have been construed by many as an indication that the charges referred to were true; and so the resolutions were amended and passed, and the Committee was appointed. The political predilections of the members of the Committee have been referred to in another place. Of the eight members of the House who have been appointed, all were members of the Alliance party but one. No Democratic member of the House was appointed. Of three members appointed from the Senate, the only Democratic member of that body was selected as one. While the theories which have been advanced to account for this explosion have been numerous, the resolutions ignore all except those which reflect upon the Republican party or some official or employé for whom it is responsible. Outside of and beyond the feelings of personal ill-will and malice which lie behind the matter, and the hope and purpose of smirching the Republican party and making political capital, there was no more reason why the Legislature of this State should, at an expense of twelve or fifteen thousand dollars, investigate the explosion at Coffeyville, even if it was criminal, than that it should investigate any other of the numerous crimes which have been committed in this State, the perpetrators of which are as yet undiscovered and unpunished. Whether these are sufficient and proper reasons and motives, we leave to the people of the State to judge.

The motives and purposes of the persons who worked up this investigation have already been indicated, and are apparent. We have shown how their pertinacity and determination to accomplish their aims, coupled with the political prejudices that controlled one branch of the Legislature, resulted in bringing the great power of the State, through its Legislature, to bear, in the hope of finding some evidence tending to prove charges which the evidence shows were absolute inventions, gotten up as a good political scheme to down the Republican party. And it should also be noted that the evidence of Mr. Henthorne as to the origin of these charges (409) is absolutely uncontradicted by any testimony in the case.

The Vincents were present from the first to the last meeting of the Committee; they selected and hired the attorneys who conducted the Alliance side of the investigation, and were afterwards paid by the State. They named the witnesses whom they desired, and they were all brought before the Committee, and if they and their "mic'saders" have not succeeded in downing those who accomplished their undoing, it is certainly not their fault.

Another matter indicating the motives, the animus behind this investigation, and the report which will be made by the four Alliance members of this Committee,

should not be overlooked. It was plainly evident after the close of the testimony, indeed it was ill concealed before, that these members of the Committee intended, in so far as in their power, to throw the responsibility for this explosion upon the Republican party, as charged by the resolutions and the Vincents.

In this connection it should be remembered that this Committee is a public tribunal with high and important functions, and it was properly directed, by a Senate amendment to the resolutions, to hold its sessions with open doors; that its report, sustaining or destroying the character and good name of this one or that one, is not only printed and distributed to the public, but goes into the public archives, to make a part of the official history of this State forever. Under these circumstances, the proper performance of official duty would seem to require that any findings made by a portion of the Committee, which are to have a place in the public report, should be presented to and considered by the Committee; and a fair opportunity given to show, if possible, that the conclusions were erroneous and baseless. Especially would this seem to be the only proper course, where individuals were to be inculpated. Their names, and the extent of the findings against them, should be laid before the Committee, and an opportunity afforded for a fair statement in reply as to each person and accusation. If the conclusions were honest deductions from the testimony, there could be no possible objection to this course.

These suggestions being self-evident, it seems proper to refer to what has in fact been the action of the Alliance members of the Committee. Their caucuses and consultations have been held with closed and locked doors. No other member of the Committee has been admitted. A secret report has been or is to be prepared. That it reflects upon the Republican party is a foregone conclusion, but upon what person or persons is unknown. A request to have this report laid before the Committee, coupled with a statement of what the report of other members of the Committee would contain, and an offer to submit a draft of it so far as prepared, was ignored and refused, and it was announced that the contents of the report would not be divulged until all other reports were completed. (Page 606.) This action seems to be in accord with the political methods of the party which was in control of the House at the last session of the Legislature, to gain admission to the sessions of which, the password and sign were more potent than a properly authenticated card of admission, in the hands of the uninitiated citizen. The unfairness of this action, both to the parties implicated, and to those members of the Committee who believe that there is no evidence sufficient to warrant a finding against anyone, is manifest. True theories and correct conclusions must be consistent with all established facts. Where no opportunity is given to point out the error, to show the facts inconsistent therewith, it is easy to suggest a theory or reach a conclusion, and to support it by garbled extracts from the testimony in such a way as to make it seem plausible and like the truth.

The facts referred to, showing the origin of this star-chamber manifesto, should of themselves be a sufficient answer and vindication to anyone who by the findings of this so-called report, is found or declared to be in any way connected with the Coffeyville explosion.

III.—OTHER FINDINGS, WITH REFERENCES TO THE TESTIMONY SUPPORTING THEM.

1st. We find that Mr. C. A. Henrie was not at Coffeyville on the 18th of October, 1888; that he was not the man who left the box containing the explosive with Mr. Upham, in fact any such box was left with him; and that he had no connection whatever with the explosion. This finding is supported by such indubitable and conclusive proof that no unprejudiced court or jury would hesitate for a moment in agreeing to it.

H. M. Upham testifies positively that O. A. Henrie was not the man who delivered the box to him. He testified that the man who brought the box to the office stood in front of him, with the light of a large window shining directly in his face, so that he could not possibly be mistaken. That the man was heavier and older than Mr. Henrie, had black eyes, whereas Mr. Henrie's were blue, and other peculiarities and marks about his face that Mr. Henrie did not have. (38, 39, 43.)

Mr. D. O. McCray testifies positively, that Mr. Henrie was in Topeka on the 18th of October; and is able to fix the day beyond the possibility of a doubt to an unprejudiced mind. He was at that time associate editor of the *Topeka Capital*. The expose of the Videttes was published in that paper October 19th, and Mr. Henrie was in the office, once in the forenoon assisting in "making up" the matter containing the expose, and in preparing a heading for the article; and again, to look over the proofs. (447, 453.)

In this connection, it should be noticed that the expose as it was published in the *Capital*, and other papers, was mostly written, copied, and put into shape, by Mr. Henrie, Mr. Greer assisting, and Mr. Hutchins exercising a supervision over it; Mr. Henrie being at the time in the employ of the Republican State Central Committee; the work being done in a room at the Windsor Hotel, at Topeka. That it was planned to have it appear, first in the *Winfield Courier*, an evening paper, and on the next day, in other Republican papers in the State, and elsewhere. In order to accomplish this, the committee had procured the matter to be put in type, stereotyped, and when everything was ready, and a telegram agreed upon, was sent to Mr. Greer, the editor of the *Courier*; he was to publish the matter in his paper, and the plates, or matrices, were to be at once sent out so that it could appear in the other papers on the next day. (Testimony of Greer, 95, 666; Hutchins, 513, 522, 543.)

It should further be noted that the plates that were sent out only included the body of the matter constituting the expose, the editors of the different papers being left to furnish such display headings as they might deem proper. The heading in the *Capital* occupied nearly a quarter of a column. (See *Capital*, 98; testimony of McCray, 453, 460.) On the morning of October 18th, everything being ready, Mr. Hutchins sent to Mr. Greer the telegram agreed upon, "O. K. All busy here." (96, 522.) The expose was published in the *Courier* that evening, and in the *Topeka Capital* the next morning. (98, 473.)

Frank C. Scott, who was foreman of the *Capital* office, testifies positively that he saw Mr. C. A. Henrie in the editorial rooms of the *Capital* with Mr. McCray on the 18th of October. He is able to identify and fix the date from the fact that it was the day before the Vidette expose was published in the *Capital*. He says that he went to the office about half-past twelve o'clock and found the stereotyped plates of the Vidette expose on the "turtle" in his room; that he knew nothing about the matter, and went to the editorial rooms to see Mr. McCray about it; that he found him and Mr. Henrie there in consultation in reference to it, and Mr. McCray said he wanted to write a heading for it. He swears that he knows that the paper containing the expose was in fact published on the day it bears date, the 19th, the next day after he saw Mr. McCray and Mr. Henrie together in the editorial rooms in consultation in reference to the matter. (460-462.)

Attention is here called to a typographical error which appears in the first part of the testimony of this witness, where, in asking a question, counsel is made to say Friday, October the 17th, instead of October the 19th. This error is also corrected in the errata. The error, however, is immaterial, as it is fully corrected by subsequent questions, and the answers of this witness thereto.

The testimony of this witness was regarded as so clear and conclusive upon this question as to the whereabouts of Mr. Henrie, that the able counsel for the Alliance refrained entirely from any cross-examination. (462.)

Arthur Capper, at that time local editor of the *Capital*, testifies clearly and positively that he saw Mr. Henrie twice on the 18th of October, at Topeka, the first time early in the afternoon, and the last time later in the evening, after the Overmyer meeting, which he reported, and which report is published in the *Capital* of the 19th, together with an item written by Mr. Henrie in reference to the same meeting. A further fact sworn to by this witness, and which precludes the possibility of any mistake by confusing this meeting with any other Overmyer meetings held during that campaign, is, that after this meeting was over Mr. Henrie telephoned Mr. Capper that the meeting had degenerated into a big drunk, and the latter asked him to write it up. That later in the evening, Mr. Henrie came to the *Capital* office, and in Mr. Capper's presence wrote an item in regard to the drunk, which appears in the *Capital* of the 19th, with the report of the meeting referred to. (463.)

Henry Booth testifies positively that he saw Mr. Henrie in Topeka at the Republican committee rooms on the 18th of October, the day before the publication of the expose by the *Capital*. He is able to further fix the date beyond the possibility of a doubt by his recollection of the fact that he was about leaving Topeka to attend a Republican rally at Ottawa, which was held on the 19th. He was giving directions to Mr. Hutchins, the secretary of the committee, as to what he should do while he was away when Mr. Henrie came into the room where they were talking. He attended the rally at Ottawa the next day, which was the 19th, and there first heard of the explosion at Coffeyville. (469.)

C. A. Henrie himself testifies positively that he was in Topeka on October 18th, and for several days before that time, engaged in preparing the *Vidette* expose; that he never was in Coffeyville in his life. (173, 491.) His testimony agrees with Mr. McCray's, as to assisting in preparing the heading for the expose on the 18th. (495.) He testifies that he was at the Overmyer meeting in Topeka on the evening of the 18th, and made a partial report of that meeting for Mr. Cummings, who was at that time business manager of the *Daily Sunflower*. (505.)

The affidavits of John F. Cummings (448) and Mrs. Lucy Barlow (495) should also be mentioned. Mr. Cummings corroborates Mr. Henrie as to the report of the Overmyer meeting; and both affidavits show conclusively that Mr. Henrie was in Topeka on the 18th of October. Mr. Henrie explains how he came to procure these affidavits. Mr. Cummings was sick, and was going away. (504.) Mrs. Barlow, a married lady with a family, frequently moved from place to place. (502, 503.) The statements of witnesses in affidavits, where no opportunity is given to cross-examine, is of so little weight that it is not ordinarily received in judicial proceedings. Especially should such evidence be rejected in this kind of an investigation, unless strongly corroborated by the testimony of witnesses who appear for examination. These affidavits, being corroborated by evidence which is of itself conclusive, should be considered. The persons making them are, so far as the testimony shows, respectable people. Their credibility is not in any way impeached, and the fact that their whereabouts is now unknown shows that it was a proper and prudent step to secure their affidavits.

The testimony of Judge Reed should be mentioned. He produced the registration books of the ward in which Mr. Henrie lived, and which show that he was in Topeka and registered as a voter on the morning of October 19th. (482.) The testimony of several witnesses also shows that he was in Topeka on the 17th, attending to the final work in reference to the publication of the expose, and for several days prior to that time.

As against this mass of testimony, all of which, excepting probably the two affidavits, will be recognized as legal and competent evidence, what is there in the way of proof—it should be remembered that charges and insinuations, no matter

how often repeated, prove nothing—that would be received in any court showing that Mr. Henrie was not in Topeka, or that he was in Coffeyville, on October 18th, 1888? If this positive and uncontradicted testimony as to his whereabouts on that day was all stricken out, there would still be nothing from which any unprejudiced tribunal could find that he was at Coffeyville on that day.

It has been suggested by certain members of this committee that, with an extra suit of clothes and a false beard, Mr. Upham's description of the man might be made to fit Mr. Henrie. Mr. Upham describes the man as having a beard of three or four weeks' growth. It is well known that false beards of this kind are not usually made, and if made and worn would at once betray the fact. Mr. Upham makes no statement to indicate that the man wore a false beard, and he points out other physical differences between Mr. Henrie and the man in question which cannot be counterfeited, and testifies positively that Mr. Henrie is not the man. But it has been more than suspected by members of this Committee that Mr. Upham was not telling the whole truth about this matter. And this has been construed, by those whose prejudices would lead them in that direction, to mean that he was endeavoring to shield Henrie or the Republican party. Mr. Upham knows that the truth of his story of the strange man leaving the box with him is not unquestioned. His first cross-examination by Republican counsel at the beginning of the investigation showed that. Why, then, should he shield Mr. Henrie? Would it not be more natural for a man so situated to fasten the responsibility upon somebody else who was already charged with it, and thus clear himself from suspicion? Why should he endeavor to protect the person or political party, the representatives of which were plainly showing their belief that he, himself, and not any other man, was responsible for the explosion? Members of the Committee who are forced to go to Mr. Upham's testimony from which to find that Mr. Henrie is guilty, are indeed hard pressed for evidence to support their views.

Now as to the testimony of I. M. Waldrop, who was station agent at Valeda, about twelve miles east of Coffeyville, at that time. He says that just after it was getting dark in the evening after he heard of the explosion, he saw two strangers at the depot, and that Mr. Henrie would fill the bill as to one of them as near as he could recollect; would not say positively, but rather believed that he was one of the men he saw there in 1888. (571, 572.) This part of Mr. Waldrop's testimony should be considered in the light of the admission that he makes, that before he was called to the stand he was taken in charge by a so-called detective by the name of Highleyman, who has several times appeared upon scenes during this investigation as a witness and otherwise, and by him conducted to the door of the room where the Committee was in session and told that Mr. Henrie, or the man suspected of being at Valeda, was in the room. (572.) What other hints he received from the detective, we are not advised, but as showing the feelings and prejudice of the latter in the matter, we refer to his testimony where he swears he does not believe a man could have been convicted of this crime if he would confess his guilt. (580. See also 242, 245.) Mr. Waldrop further testified that the man at the depot who resembled Mr. Henrie was larger or fleshier every way than Mr. Henrie, with a fuller face, and that both of the men there had beards of one or two weeks' growth. (574.) The contradictions and inaccuracies of his statements should be noted. He says first, that he presumes he heard of the explosion on the same evening that it happened, but is not positive (571); again, says he is positive he heard of it the same evening (573); and again, says he is pretty positive, but could not say, it has been so long since the explosion. He testified that he had quite a conversation with the man he thought Mr. Henrie resembled, but says nothing about his having any peculiar accent. He told Mr. Clifford in 1888, that he talked politics with this man; that he had foreign

accent, and was evidently not of American birth. (869.) Mr. Henrie has no foreign accent, and is of American birth. If he was there, fleeing from the scene of a crime, and was trying to put on a foreign accent as a disguise, he would not be talking politics; he would have kept himself out of the way, and had as little to say as possible. The description which Mr. Waldrop gave to Sheriff Connor (603), differs in many other respects from that which he now gives. (574.)

The testimony of Mr. N. M. Clifford, a deputy sheriff, in reference to the description of the two men given him by Mr. Waldrop, and which was taken down at the time (369), show his statement in regard to the foreign accent of the person now said to resemble Mr. Henrie, and other discrepancies between the description given then and now, which tend materially to weaken Mr. Waldrop's testimony. And there is nothing in any of Mr. Clifford's testimony that in any way tends to show that Mr. Henrie was there at that time. Mr. Clifford says he heard of two strangers who had stopped at the Southern Hotel, in Coffeyville, on October 18th, registered as Chart Harvey and James Koken, of Cheney, Kansas. He secured a description from the landlord, and hearing that they had gone east, went to Valeda and saw Mr. Waldrop, and got from him a description of the two men that he had seen. (369.) While there were some variations in the descriptions of the two men, as given by the landlord and by Waldrop, yet he thought they were the same persons.

The testimony of Mrs. Cougher should also be mentioned. It is a pity that the readers of this report cannot see this woman as she appeared to the Committee—a hardened, abandoned woman, divorced from her first husband, separated from her last, with whom she had lived in adultery, as she admitted, for three months before she was married to him; the venom of her unbridled tongue seemed directed against everyone. So far as her testimony bears upon this question, she said, in substance, that her husband told her—we presume this was before they had separated, though the testimony does not show—that Mr. Henrie was the man who delivered the box of dynamite at Coffeyville, to be deposited at the *Courier* office, and finally to injure the Vincent Brothers; and that Mr. Hutchins and Mr. Greer's names were mentioned in connection with the matter. (211, 212.) This testimony was admitted over objections which ought to have been sustained. It was hearsay of the worst kind. Was Mr. Cougher stating what he knew, or what he had heard, or had read in the *Non-Conformist* or some other paper, or where did he get his information? For many good reasons the law provides expressly that conversations between husband and wife shall not be received in evidence. (General Statutes of 1889, sec. 4418.) So this is no evidence at all. Beyond this, she testified that she heard her husband, Mr. Cougher, say, laughingly, to Mr. Henrie, "Where did you stop while at Coffeyville?" In reply to which, she says Mr. Henrie stated the name of the hotel, but she did not remember it. (212.) Mr. Cougher, although unfriendly to the present administration, because he did not get the appointment as Labor Commissioner (357), positively denied the statements made by this woman, as also did Mr. Henrie. (493, 494.)

The affidavit purporting to have been made by one J. W. French (178), written and secured by Mr. C. Vincent, is not evidence at all. It was admitted at a time when two of the Senate members of the Committee were not present, and even the Alliance chairman of the Committee felt called upon to enter his protest against it. (367.) This affidavit states that Mr. Henrie was absent, and did not return home until about 10 or 11 o'clock p.m., of the day after the announcement of the explosion in the daily papers. As the explosion happened about half-past 4 o'clock p.m. of the 18th, it is plain that the meaning of the language used in the affidavit is, that he did not return home before late in the evening of the 19th. This is expressly contradicted by Judge Reed's records, which show that Mr. Henrie registered in Topeka as a voter, on the 19th. (482.) Mr. J. W. French, if he made this

affidavit at all, is further contradicted by his daughter—so said to be in his affidavit—who swears that Mr. Henrie was in Topeka on the 18th, 19th, and until the 23d of October (495), by all of the witnesses who testified as to Mr. Henrie's whereabouts at that time. Other matters are stated in this affidavit, seemingly for the purpose of downing Mr. Henrie, but they are contradicted by other witnesses. The most that could be claimed for French's affidavit, would be to allow it to offset the affidavit of his daughter, and even this would be allowing too much, as Mrs. Barlow is corroborated by half a dozen witnesses, while the French affidavit stands alone.

We have stated the substance of all the testimony bearing upon the question of Mr. Henrie's whereabouts on the 18th day of October, 1888, and, we ask, where is there any evidence showing, or tending to show, that he was in Coffeyville, or was not in Topeka, on that day? If all the evidence showing that he was in Topeka on that day was stricken out, there would not then be any legal evidence from which any unprejudiced court or tribunal could find that he was in Coffeyville on that day.

Mr. Henrie was an employé of the Republican State Central Committee during a considerable portion of the campaign of 1888, getting up the expose and performing other services. Proof that he was the man who left the box at Coffeyville is the only possible foundation upon which the Alliance members can base their findings that the Republican party, or other Republicans who have been named, were in any way connected with or accessory to the crime. Failing to prove that, their whole fabric of baseless conclusions, inferences, and insinuations falls of its own weight.

2d. We have already found, generally, that Mr. C. A. Henrie was not in any way implicated in the Coffeyville explosion and had no connection with it, and that his appointment to a clerkship in the Bureau of Labor was not given him as a reward for any connection or supposed connection which he had therewith, or to prevent him from telling what, if anything, he knew about it. In view of the extraordinary circumstances under which this report is prepared, and which will be more fully referred to hereafter, it has been thought best to answer from the testimony, this question: Why did the Governor recommend or assent to the employment of Mr. Henrie as a clerk in that Bureau?

Matters have occurred which indicate to us that there are members of this Committee who will refuse to see the plain and natural answer to this question, and will seek to account for his appointment upon some theory consistent only with the suspicions and prejudices which they entertain. To us the answer is plain, natural, fully shown by the evidence, and is simply this: He was employed as a clerk there because of his fitness for the place, because he was recommended by Mr. Bion S. Hutchins, who had occupied a prominent position in the organization of the Republican party during the campaign (529, 530), and others (520), and in recognition of services which he had performed for the Republican party.

It should be remembered, in the first place, that the position is not one of great importance; it is simply a clerkship in one of the departments of the State, at \$800-per year. Mr. Henrie had been the editor and publisher of a newspaper devoted to the interests of the wage-earners; he had made a special study of the various phases of the work of the bureau in which he sought a position; he had filled a similar position as a State officer for a labor organization (a collector of statistics for the Knights of Labor State Assembly); he had actively favored the establishment of the Bureau of Labor, had been looked upon as an efficient and valuable man in that department, and had been mentioned as such in the various reports of the commissioner. This is shown by Mr. Betton's letter to Greer, published in the *Winfield Courier*, of September 9th, 1889, and by other evidence. The copy of the paper referred to is the same in which certain other correspondence introduced in evidence, is found. (57.) At the time Mr. Henrie was appointed, he was a member and officer

of the Knights of Labor, both local and state bodies; the Typographical Union, and the American Federation of Labor. (588, 589.) The fact that in the year 1889, without charges, a trial, or a chance to defend himself, he was expelled from the Knights of Labor, for alleged non-payment of dues, and complicity in the Coffeyville affair, should not count against him. It is quite likely that this action was the result of the baseless charges constantly made, and reiterated in the *Non-Conformist* and other papers.

Mr. Henrie was recommended for employment by such men as the late Governor John A. Martin, Hon. P. I. Bonebrake, formerly chairman of the Republican State Central Committee, Major J. K. Hudson, editor of the *Topeka Capital*, Mayor D. C. Metsker, of Topeka, and other prominent Republicans. (520.) The services which he had rendered the Republican party were considered valuable (520, *et seq.*); and, his paper not having proved a financial success, it was not only natural, but proper that he should be given a position in a department, the duties of which he was best fitted to perform.

An attempt was made to prove that Mr. Henrie was an anarchist, and certain testimony was introduced for that purpose. It was shown that Mr. Henrie participated in a public meeting addressed by the anarchist, Parsons, when he was in Topeka, and was otherwise associated with him. (Testimony of J. W. Whitley, 179; and C. S. Whitted, 182.) It seems from this testimony that at that time, in the year 1885 (179, 183), Parsons was at Topeka organizing a branch of the International Working People's Association. Mr. Henrie, being an active man in nearly all the movements in the interest, or supposed to be in the interests of the laboring classes, assisted in this organization, and was, as a consequence, associated with Parsons. Mr. Whitted testified that at a private meeting held at Mr. Whitley's house, he (Whitted) or some one whom he does not remember, asked Mr. Parsons to tell them how to make dynamite, and that the latter did so, and that it was suggested that he, being a gas-fitter, could make the bombs. (191.) He says that Mr. Henrie was present at that meeting; but Mr. Whitley, another witness called for the same purpose, and who was present at this same gathering, gives the names of those present at the time the conversation was upon the subject of dynamite, and says Mr. Henrie was not there. (181.) And the latter denies being present at any meeting where that subject was talked about. Certain articles in relation to the execution of the Chicago anarchists, published in Mr. Henrie's paper, the *Labor Chieftain*, were also introduced in evidence for the purpose of showing his sentiments and tendencies. (183.) The articles referred to are mostly special dispatches, giving the full text of Governor Oglesby's decision, and an account of the execution of the condemned anarchists. Attention is called to the cool, temperate tone of these articles, as compared with the articles before quoted from the *Non-Conformist*.

Some of the members of this Committee are inclined to attach some importance to the language which Leland J. Webb testified that the Governor used in a conversation in which he was asked to prepare some affidavits for Henrie and others in regard to this matter. The credibility of this witness was seriously impaired by his action, shown by other testimony, in attempting to trade his testimony, or rather the withholding of his testimony, for a promise that a certain appointment should be made, and by the feeling of animosity which he evidently entertained at the time he was testifying, and which was but poorly concealed by a pretense of candor and fairness. He admitted that he had unpleasant feelings towards the Governor, as well as towards Mr. Henrie. He wanted another man appointed to the position given to Mr. Henrie. He was mad about this and other matters. (287.) Mr. Henrie had given him, Webb, a "roasting" in his paper, and for that and other reasons he did not like him. (288.) That Mr. Webb was a party

to this attempt to trade upon his testimony is shown by the testimony of Judge Reed (478-482), and of Mr. Evans. (484.) He kept out of the way and made a pretense of sickness (479), and said he would, if necessary, take a train and go away, (484), until he found that the appointment could not be secured in that way, and then he was swift to appear and testify. So anxious, indeed, was he after he found that the Governor would make no trade with him, that he said he "had rather lose \$500 than to fail to testify in the case." (Judge Reed's testimony, 491.) He then appeared as a witness and endeavored, no doubt, to carry out his promise to "make it hot for the Governor." (484.)

Testimony as to what was said in a given conversation is always uncertain. Two witnesses will hardly ever tell it alike. The change or omission of a word frequently changes the meaning of a sentence. Omitting or forgetting a part may change the tenor and meaning of the entire conversation. Taking all these matters into consideration, with the evident desire on the part of this witness to carry out, so far as he was able, the high and sounding phrase of his manifesto, as to what he would do if the Governor did not make matters satisfactory to him, and it is plain that his testimony affords no basis for any finding or conclusion against the innocence or good motives of anyone.

3d. The charge is recited in the resolutions, that this alleged crime, the explosion, has not been investigated in the courts, by reason of the refusal of certain officers to perform their sworn duties; and this charge we have found to be untrue.

It may be proper to state some of the reasons which impel us to this conclusion, and to refer to the evidence bearing upon the question. So far as this charge has been referred to by anyone in this investigation, it seems to have been directed at Mr. Samuel C. Elliott and Mr. O. P. Ergenbright, county attorneys of Montgomery county; the former at the time of the explosion and until in January following, and the latter succeeding him in that office. In ordinary cases, where the prosecution of a criminal fails, the county has the costs and expenses to pay. The Legislature appropriated \$12,000 to pay the expenses of this investigation, which does not include the cost of printing the testimony, etc. The witnesses brought before this Committee were only allowed five cents per mile, whereas in criminal cases they are allowed twice that. A trial of the same question in the courts of Montgomery county would cost a large sum of money. The county attorney who would not, under the circumstances, investigate the matter, ascertain what the evidence was, so as to be reasonably sure of a conviction before allowing a prosecution to be brought, would be unworthy to hold the office. It is as much the duty of a county attorney to protect the tax-payers of the county from the costs and expense of improvident or ill-founded prosecutions, as it is to prosecute those cases where the proper evidence of guilt is presented to him. Now what does the evidence bearing upon the question show? It seems that I. D. Highleyman, the so-called detective, and C. Vincent went to Mr. Elliott, and afterwards to his successor, Mr. Ergenbright, and asked to have George W. Poorman and C. A. Henrie arrested and prosecuted. To shorten this review of the testimony, we shall refer to the county attorney without specifying whether it was Mr. Elliott or Mr. Ergenbright who filled the office at the time. Mr. Highleyman says that the county attorney wanted to know what evidence they had of the guilt of these parties, and he and Mr. Vincent told him (243, 245); but when asked to tell what the evidence was, says that it was the evidence of Wm. Drugan and George W. Poorman. (245.) And when pressed on cross-examination to tell just what was said to the county attorney about the evidence, he says in substance that he told the county attorney that he knew Mr. Poorman and had had some correspondence with a man at his home (Bellaire, Ohio), and that this man had written him that a man named

Henrie was getting his mail there through Poorman's wife, and if Poorman and Henrie were arrested, the latter would squeal and tell all he knew about it. (249.) This would indeed be strong proof upon which to institute proceedings, that would in the end cost thousands of dollars; and it appears, too, that Mr. Highleyman was working for himself. He wanted to be employed to go to Ohio and bring Poorman back at the rate of ten cents a mile and expenses going and returning. (See testimony of Elliott, 49.) Mr. Henrie was here in Kansas at that time, his whereabouts being well known; and Mr. Poorman has since come here voluntarily, and has told all he knows about the matter. (328.) The testimony of Mr. Highleyman, the letters he received from Drugan (253), and the testimony of Drugan's associate, McCormack, brought here from Ohio as a witness at the instance of the Vincents, and who knew absolutely nothing about the matter except some rumors and hearsay statements, show what folly it would be for a county attorney to institute a prosecution based upon statements of these "tin-horn" (282) detectives. The testimony of Mr. Henry Vincent as to what occurred at these several interviews with the county attorney, is in harmony with that of Mr. Highleyman. (266.) So far as his testimony shows, he referred to no other evidence on which to base a prosecution than that named by Mr. Highleyman. We have purposely referred only to that part of the testimony offered for the purpose of showing that these county attorneys have been derelict in their duty. That testimony is of itself sufficient to vindicate them. There seems to be good grounds for the opinion expressed by Mr. Elliott, that under our statute—unless there was evidence to show that the explosive was delivered with intent to harm some person—no prosecution could be maintained, even if the person who delivered it was known. The testimony of both Mr. Elliott (48) and Mr. Erenbright (53) should be read in this connection.

To sum up this whole matter, each of these county attorneys was expected to institute a prosecution that would have cost Montgomery county thousands of dollars, upon the unverified statements of a man in Ohio that he had heard that George W. Poorman's wife had been getting mail for Mr. Henrie, and that he believed that if Poorman was arrested he would squeal. And because they declined to institute a prosecution on such evidence they are to be publicly charged, and investigated by the Legislature for refusing to perform their duties. The wisdom of the Legislature in changing the law exempting a county from liability for costs, except in those cases where the county attorney approves of the prosecution, is apparent.

4th. We find that it is not true that Volney A. Beard ever overheard a conversation between E. P. Greer and Sol. Burkhalter in substance like that stated by him in his testimony (126, 130); or that he ever heard any conversation between them which in any way referred to the shipment or delivery of any package—dangerous or otherwise.

As to whether Mr. Beard was honestly mistaken—whether he had at some time overheard some fragments of a conversation between those men as to the coming expose, to which a suspicious nature, which usually accompanies a low order of intellect, had added things never said, and a meaning never intended—or whether this witness committed willful perjury, we leave for those who read the testimony to determine for themselves. Mr. Beard is a small man, with but little room for brains in his head, and his manner upon the stand was not such as to impress one with his candor and truthfulness. He kept a stand where lunch, lemonade, etc., were sold in Winfield, and there went by the name of "Peanuts," or "Peanut Jack." (299.) His stand was next door to Hendricks & Wilson's hardware store. He says the conversation occurred about 11 or 12 o'clock at night; that they, Greer and Burkhalter, were sitting outside of his store, the former on a wheelbarrow and the

atter on a box, and he was inside waiting on some customers; that there was a wall between them; that he was hard of hearing, and they talked very low (129), and that he could not hear all they said. (127.) In one part of his examination he was fairly asked to state the name of the person he first told about this conversation, and in reply he said he told Geo. Applegate first and a Mr. Wilkinson about a year afterward. (127.) Subsequently he was recalled and asked the same question, and he then swore that Jim Connor, the sheriff, was the first person he told about it (139); and when asked his reasons for this contradiction in his testimony, did not say it was a mistake, or that he had forgotten, but with a cunning leer, which those who saw him will remember, said that he told them they were trying to draw him out, etc. (140.) Who he first told about this alleged conversation, is unimportant, but whether this witness deliberately perjured himself to keep from being drawn out is an important consideration. The unprejudiced person who heard this testimony would be impressed with the fact that the witness knew he was not swearing to the truth when he said that George Applegate was the first person he told about it.

There was an attempt made to support this witness by calling Messrs. Applegate and Wilkinson to testify to the fact that Mr. Beard did tell them of the conversation; but such testimony is worse than hearsay. One does not have to be a lawyer to know that a witness cannot add to the weight of his testimony by telling his story to others, and then having them swear to the fact that he did tell them; and that such testimony would not be received in any court.

Testimony showing contradictory statements is properly received for the purpose of impeaching or discrediting a witness. The testimony of Mr. Connor should therefore be considered as bearing upon the credibility of Mr. Beard's story. Mr. Connor testified that when Mr. Beard told the story to him he said that he heard Mr. Greer say, "Didn't we shoot it into them?" to which Mr. Burkhalter replied, "Yes, we did!" whereupon Mr. Greer said, "You wait awhile, and you will see a worse bomb than that fired into them." Mr. Connor was at that time a member of the Union Labor party, and the sheriff of that county. The story was told to him by Mr. Beard, as a basis for official action on his part. He says he did investigate the matter, and became convinced that the language referred to the expose of the Vettes, and had no reference to the explosion at Coffeyville. (391.) The attempt that was made to corroborate Mr. Beard's testimony was an entire failure. J. W. Carter, one of the witnesses brought before the Committee for that purpose, testified that he was a constitutional loafer, and had frequently seen and sat in a wheelbarrow in front of the adjoining hardware store. (577.) J. W. Curfman's testimony was to the same effect. (578.) And E. B. Emory testified that he saw Mr. Greer in at Mr. Beard's place eating a lunch one night about the 9th, 10th, or 11th of October. (579.) Proof that there was a wheelbarrow there, and that Mr. Greer once ate a lunch at Mr. Beard's place, is no corroboration of the latter's testimony as to the conversation. Thus it will be seen that Mr. Beard's story not only stands alone and uncorroborated, but with its credibility, to say the least, very seriously impaired by his contradictory statements.

On the other hand, Mr. Greer (428, 429) and Mr. Burkhalter (295) both positively deny that any such conversation ever took place; and there is nothing in the testimony before this Committee which in any way impairs the credit which should be given to their statements. The general findings made by us, exonerating Mr. Greer from any and all complicity in the Coffeyville explosion, as well as the special finding as to this conversation with Mr. Beard, are based upon all the evidence before the Committee as well upon that to which special reference has been made.

The testimony of Thomas Clover, Ben Clover, Dr. Muegrove, L. G. Freybarger, and W. H. Finney, is relied upon by some of the members of this Committee as .

tending to prove that an explosion was planned in connection with the expose of the Videtter, and that Mr. Greer was a party thereto. This testimony was merely hearsay. The witnesses themselves admit that it was based on what they heard Dr. Rude say; and the latter testified that he knew nothing about the matter, was not in Kansas when the explosion occurred, and knew nothing about it except what he read in the papers. (415, *et seq.*)

5th. Who is responsible for the Coffeyville explosion? Was it the result of design or accident? Was the box, package, or substance which exploded in fact delivered to Mr. H. M. Upham to be shipped to Winfield?

It is not incumbent upon those who have been publicly charged with connection with this affair to prove who is guilty; it is enough that they are shown to be innocent of any connection therewith. Ordinarily, a man is presumed to be innocent until his guilt is proven; but in cases where offenses are charged to have been committed in connection with political matters, many people are inclined to reverse the rule and require the accused to prove his innocence. The evidence showing those who have been publicly charged with this outrage to be innocent, the question remains, and is of some public interest: Who is the person responsible for the Coffeyville explosion?

Mr. H. M. Upham is the man who knows as much, perhaps more, about this matter than anyone else. If his story is true, if he has told the whole truth, P. Jason and L. or J. Loudon are yet to be discovered. If he has misled us in this matter, there are circumstances which indicate where the guilty person is to be found.

It may be true, that on the day of the explosion when he went home to dinner, Mr. Upham carried with him a box, and placed it in the photographic dark room; it may be true that it was this box, or the contents thereof which exploded; but is it true that this box was delivered to him, as he says, by a man calling himself P. Jason, to be shipped to J. Loudon, at Winfield? The testimony of Mrs. Upham would seem to corroborate him as to a box being brought home and placed in the dark room. (13.) The testimony of Dr. Wood, as to the wood fiber, bran, etc., found in the wounds received by Mrs. Upham and Mabel, would seem to indicate that the explosive was in a box; but beyond that, his testimony stands alone. The evidence relied upon to corroborate him contradicts him, and his testimony, as well as his conduct, is so full of contradictions and inconsistencies, as to cause us to question the truthfulness of at least a part of the testimony given by him.

Mr. Upham at first testified that, as he remembered, this box was the only package received by him for shipment on that day. (40.) At the time he gave his testimony there had been nothing said publicly about sending for the books containing the entries showing the business of the office at Coffeyville for that day, and which had long before been sent in to the offices of the express company. These books were afterwards procured by the Committee. Instead of there being but one package delivered to him on that day, as he testified, the books show eighteen entries of packages delivered for shipment on that day (561), all but four in Mr. Upham's handwriting. (562.) He testified that this package was entered upon the express book at the time it was delivered to him, about eleven o'clock in the forenoon. (24, 560.) That being so, the entry would naturally appear somewhere near the middle of the entries showing the day's business. Instead of that, it is the last entry made in the book on that day. (561, 562.) He testified that he was directed to ship the box to J. Loudon (24, 27), and gave that as the name in a written statement made at the time. (599.) The express books, when produced, showed that the name was L. Loudon. (561.)

When he was first examined a number of questions were asked him about a waybill which would, in the usual course of business, be made out to accompany the

box, and he testified freely and without hesitation concerning it. He said that he made out a way-bill for the package before he went to dinner, and left it on his desk; that he took the way-bill with him when he went home that afternoon (40), and presumed it was sent off with a dummy or decoy package that was sent to Winfield in place of one which exploded. (24, 40, 156.) Several weeks afterwards, the Committee was requested to send for the express agent who was at Winfield at the time, to prove that no way-bill came to Winfield with this decoy package. Mr. Upham then stated to the Committee, informally, that there was no need to do that; he would admit that no way-bill was sent with the package, and would explain the matter. Being again called to the stand, he testified that after the explosion, but sometime during the same evening, he wrote a note to Mr. Sturr, a clerk in the store where the express office was kept, gave the keys and note to his brother, who went down to the express office, found the entry on the book, and the way-bill, and returned "with the original way-bill," and handed it to him with a decoy package; that he laid the package on the table and the way-bill on the mantel shelf, left instructions to have both taken to the train, and in the morning found that the package had gone, but the way-bill was still there; that he did not know what became of it—the house was in confusion, and many things got lost. (598.) This was a direct contradiction of the testimony given by him in regard to the way-bill in the first place. (40.)

Again, when he was first examined, he was asked why he did not take the way-bill to his house at noon, when he took the package. This he explained by saying that he was to return to the express office after dinner, to attend to the business of the afternoon; that it was his custom to leave the way-bills at the office until he made up the run at night before he went home for good, and then to tie them together, ready to take to the train. (40.)

In this connection it should be remembered that the reason why Mr. Upham was in the habit of taking the express matter which was to go on the night train to his house, was to save the trouble of returning to the express office after he had left it for the day, it being much nearer to go from his house to the station than to go via the express office. (23, 24, 25, 30; Exhibit 2.)

He testified that he did return to the express office in the afternoon of the day in question, and after transacting such business as there was to do, returned to his home toward the close of the day. (25.) If this part of his testimony is true, the way-bill must have been at his house, ready to be taken to the night train with the box. But this is in direct conflict with his later testimony, where he says that his brother found the original way-bill at the office, and gave it to him with the decoy package. (598.) And his last statement is again contradicted by his brother and Mr. Sturr, who both swear, in affidavits, admitted in evidence by consent of all parties, that it was a copy of the way-bill, made out by Mr. Sturr from the forwarding-book, as requested by Mr. Upham in his note, and not the original, that was taken over to Mr. Upham's house with the decoy package. (592, 593.)

Mr. Upham testified that he was developing the picture of Mabel (his adopted daughter), which he had taken during the noon hour of that day. (25.) Mabel testified that she had no recollection of ever having sat to him for her picture; that it was some out-of-door picture that he was developing. (22.) Mr. Upham was then but a beginner in photography; if he had taken Mabel's picture that day, it would seem as if she would have remembered it. Mr. Upham testified that he had no flash-powder, or other explosive in his laboratory. (25, 41, 596.) Mr. Glasco, a photographer living at Coffeyville, testified that Mr. Upham had plenty of flash-powder, and offered to lend him some.

The truth is always consistent. Where a witness makes statements about the

same thing, which contradict, or are inconsistent with each other, it follows that at least one of the statements must be untrue, and it suggests the possibility that all of them may be. From the nature of this case, the position which Mr. Upham occupies as a suspected person, his anxiety to shield himself, and the manner in which this testimony was given before the Committee, and it does not seem possible that all of these contradictions and inconsistencies could be the result of mistaken recollection. It would hardly be possible for a person to remember the same thing so many different ways. These considerations seriously affect the credibility of Mr. Upham's testimony, and of themselves would be a sufficient reason for rejecting any, or all of it.

Again, some stories are so unreasonable, so inconsistent with known and established facts, that we have but to try them by the criterion of common knowledge and experience and they fall to pieces. Let us apply this test to Mr. Upham's story, considered in connection with the other facts in the case, and see if it can be sustained. Let us follow out the theory based thereon to its natural and logical conclusion, and see if we can reasonably account for this explosion in that way.

The effect of this explosion as shown by the evidence—the testimony of Dr. Wood as to the foreign substances taken from the wounds, the testimony of Mrs. Upham as to the sissing noise preceding the explosion for a moment—would seem to indicate that there was a box containing a powerful explosive, arranged to be set off by a fuse to be ignited by some friction attachment or otherwise—a regular infernal machine, in fact. So far as the testimony in this case goes, no one has ever heard of any person by the name of P. Jason, or J. Loudon, either in the vicinity of Coffeyville, Winfield, or elsewhere. It is fair, therefore, to say that the names are fictitious and that the parties assuming them were desirous of concealing their identity. This seems to have been taken for granted by all parties during this investigation. From these facts it naturally follows that the purpose of the parties in shipping the box was unlawful or criminal, and that they desired to so manage the affair as to escape detection and punishment. It is a matter of common knowledge that men who register at hotels are noticed and looked after by the landlord; that men who do business with express companies are likely to be noticed, and if receiving a package, must be identified and sign a receipt for it. Instead of keeping away from hotels and express offices, instead of going quietly to the place where the crime was to be committed, with their explosive concealed in a bag or a bundle, setting it off and going away, as any person who did not desire to be detected would have done; it would seem, upon the theory based upon Mr. Upham's story, that they deliberately laid a trap for themselves and tried to walk into it. The explosive, or bomb, is so improperly or unskillfully contrived as to be as likely to destroy them as the person intended to be injured. This is shown by the fact that it did explode without any known cause, at a place where, on this theory, it was not intended to have any explosion take place. The fuse is timed so short that the criminals could only get a few steps away. This is shown by Mrs. Upham's testimony, that the sissing noise was heard but for a moment before the explosion. On this theory, they plan it for one of the criminals to go to the express office in Coffeyville, deliver the explosive there, give a name and shipping directions to the agent; and for the other to go to the express office in Winfield, be identified as the consignee, sign the book and get the package. Suppose the explosion had occurred at Winfield: inquiry would at once be made if any strangers had been seen about. The express agent would remember the stranger, Loudon, a name never before heard there, who received the package. The place of shipment would be known; the criminals are not mythical personages, but are actually in existence; and with

a full description of both, and other matters to aid in the identification, their capture would be certain. This is the theory, based upon the truth of Mr. Upham's testimony, followed out to its logical conclusions. If we accept one we must accept both. That two criminals about to commit a crime with an infernal machine, anxious, of course, to conceal their identity, provide themselves with a machine as likely to destroy them as anyone, and deliberately adopt a plan most likely of all others to result in their destruction and punishment, is a conclusion which, to say the least, does not seem reasonable.

There is no direct testimony showing that Mr. Upham, either purposely or accidentally, caused the explosion; but there is a long chain of circumstances which point to him as the person responsible for it. The contradictory, inconsistent and unreasonable statements made by him in regard to the matter, is a circumstance which of itself creates a strong presumption against him.

Referring again, briefly, to some of these matters, as they appear from his testimony, the books kept, and affidavits secured by him. It appears that he only received one package that day; that he received eighteen packages that day; that the package in question was received and entered upon the book about eleven o'clock that day, and should appear in about the middle of the record of that day's business; that it was not entered until the close of business, and is the last entry upon the book for that day; that the original way-bill for this package was sent away with the decoy package; that it was not sent away, but was left by mistake; that the original way-bill was at his house at the time of the explosion; that it was not there at that time; that after the explosion he sent for and got the original way-bill; that it was not the original way-bill he sent for and got, but a copy, made from the forwarding-book. And, as appears by his own and other testimony, that it was not Mabel's picture that he was developing, and that it was her picture; that he did not have any flash-powder in his laboratory, and that he did have plenty of it.

The fact that the entry on the forwarding-book appears at the close of the day's business, as the last entry, instead of where it should appear if Mr. Upham's testimony is true, is especially significant, and would seem to indicate that the entry was an afterthought, put there for a purpose, in anticipation of events about to occur. Mr. Sturr swears that it was only a few minutes after the explosion when he received the note from Mr. Upham, asking him to make a copy of the entry on the forwarding book (591); and Mr. Upham's brother also swears to this. (592.) Why was he sending witnesses to the express office to look at and copy the entry on the book so soon after the explosion? Why were all the other scraps of writing—the description of the man and box written at the time (599), the letters and telegrams (597)—preserved, and the original way-bill, which he had, as he says, the next morning after the explosion, lost? He seems to have made no real effort to have the criminal apprehended, other than to give what purported to be a description of him to Deputy Sheriff Clifford. He never spoke to the county attorney, and seemingly manifested the greatest indifference in regard to the matter. (36.) Before his wife and daughter were out of danger, while they were still confined to their beds, he left them and a pleasant home, owned by his wife, at Coffeyville, resigned his situation there, and went away to the State of Maine; secured a situation there, removed his family there; in eight or nine months thereafter, he resigned his situation there and returned to Coffeyville, and again took up his residence there. His reasons for these frequent and expensive moves are far from satisfactory. (33, 35.) The novice in crime usually thinks that the eyes of the world are upon him, and that he, of all others, is suspected as the guilty person. In this case the thought suggests itself that Mr. Upham may have desired to put a long distance between himself and the scene of the explosion. After a few months, finding that the course of suspicion

was not directed towards him at all, but in an entirely different direction. he may have felt safe to return.

The laboratory or dark room was built but a few days before the explosion. (392.) Mrs. Upham and Mabel, upon his special invitation, go there for the first time (14, 21), almost to their death. How the fuse was prepared, or how it was set off, the evidence does not show. Whether by some friction devised to be operated by pulling a string, or moving the package, the evidence does not show. That it was a short, a very short, time fuse, the evidence does show. (14.) And that it burned its way to the deadly explosive and ignited it during the short space of time which elapsed while he had gone some twenty or thirty feet after a pail of water, is also shown. Was this building of the dark room or laboratory, only three or four days before, this using of it as a store-room for this package, this first invitation of his wife and daughter to enter the room, this necessity for the pail of water, and this setting-off of the fuse so that the explosion would take place just when he was at the pump, all a coincidence? It is possible, but to us it does not seem probable.

The concurrent resolution authorizing the Committee to continue this investigation after the adjournment of the Legislature, provided that the Committee should, in its report to the Governor, make such recommendations as it deemed advisable. The only recommendation which we have to make is, that in the future the investigation of alleged crimes, in no way connected with the administration of any public office or trust, shall be left to the machinery of the State created for that purpose.

Respectfully submitted.

O. H. KIMBALL,

J. G. MOHLER,

Members of the Committee on the part of the Senate.

C. N. BISHOP,

Member of the Committee on the part of the House.

REPORT OF REPRESENTATIVES EZRA CARY, M. SENN, G. W. CRUMLEY AND T. M. TEMPLETON, THE ALLIANCE MEMBERS OF THE COMMITTEE.

We, the undersigned, the members of the Joint Committee, beg leave to present our views as to the circumstances surrounding the explosion of dynamite at Coffeyville, and the parties connected therewith, as ascertained from the testimony hereto appended.

As the theories indicated in the preliminary report, we do not find any evidence in support of the theory that the explosion was caused by carelessness in handling, or the improper use of chemicals used in photography.

The testimony of Mr. Upham is, that he had no chemicals in his possession that were explosive; (page 23.)

Mr. Glass testified that he saw such chemicals in the (Upham's) dark closet about ten days before the explosion (page 352), but was evidently mistaken. (See affidavit of David Parks, page 592.) Upham testified that he had the chemicals mentioned by Glass a year later; (page 596.)

In regard to the second theory, that of malicious intent on the part of Upham to kill his wife and adopted daughter, we find the only testimony in support of this is that the servant girl of Mr. Upham told a colored man, who told Mr. Connor, that the family relations of Mr. and Mrs. Upham were not pleasant. Against this far-fetched and hearsay testimony we have the direct testimony of N. M. Clifford; (page

381.) So that the Committee rejected as unnecessary the offer of Mr. Upham to subpoena twelve more witnesses to prove that the most pleasant relation existed between them. The fact that the entry of the box delivered by P. Jason, and addressed to J. Loudon at Winfield, is at the bottom of the page in the forwarding-book, and the way-bill lost, can easily be accounted for by the confusion and excitement which followed the explosion, and on account of different persons attending to the duties of the office on that day; (page 591.)

The third theory, that it was revenge on the part of the Union Labor party on account of the *Vidette* expose, no evidence being offered in support of this, except from assertions in newspaper articles, we dismiss it as unsupported and untenable.

The fourth theory is, that it was a scheme of Ed. P. Greer, Bion S. Hutchins, C. A. Henrie, and probably others, to add force and emphasis to the second *Vidette* expose, thereby injuring the Union Labor party, and throwing suspicion on the Vincent Brothers as being anarchists and dynamiters. In support of this theory we find a large amount of testimony. About the 4th of October, 1888, the *Winfield Courier* published the so-called *Vidette* expose of what he called the secret political, revolutionary, treasonable, and anarchistic organization, trying, in the most exaggerated language, to convince the people that this organization controlled the Union Labor party, which was then in the field with a ticket; (page 119.) This expose fell flat, exciting more ridicule than serious consideration.

Soon after the first expose a consultation was held between Ed. P. Greer, Hutchins, and Booth, in regard to a second expose. (See telegram of Booth to Greer, page 94; Poorman's letter to Greer, 123; telegram on page 96.)

Remembering, however, how unwilling the people were to believe that the farmers of Kansas, who largely constituted the Union Labor party, were controlled by a set of revolutionary anarchists, they determined to give emphasis to the expose by having, at the proper time and place, an actual explosion. Undoubtedly the intention was to take all possible precaution against anyone being directly hurt by the explosion. In proof of the correctness of this theory, we refer to the testimony of Volney Beard (page 126) in regard to a conversation he overheard between Ed. Greer and Sol. Burkhalter. Also the testimony of Congressman Clover, his son Ben. Clover, Dr. Musgrove, L. G. Fryberger, W. H. Finney (pages 141 to 158), and Dr. Rude's testimony; (page 414.) The testimony of these witnesses points unmistakably to a plot including explosives. The effort to impeach the truth of these statements by the testimony of Sol. Burkhalter (page 295) and Hendricks and Wilson (page 303), has only added strength to it. The testimony of J. W. Carter (page 577), H. U. Curfman (578), and E. B. Emory (579), establishing the truth of Beard's testimony.

Lee Jones's testimony (page 534), given unwillingly and under protest, also indicates that explosives were contemplated in connection with the *Vidette* expose.

As to C. A. Henrie's connection with the preparation and delivery of the box at Coffeyville, we refer to Upham's description of the man who delivered the box to him (page 27); I. M. Waldrop's description of the men seen at Valeda on the evening of the 18th of October (pages 571, 577); also the testimony of Mrs. J. G. Cougher, that in a conversation between her husband and Henrie she heard Henrie give the name of the hotel where he stopped at when in Coffeyville (page 212); also the other fact, that the hotel register shows that two strangers registered in Coffeyville on the 18th of October, 1888; (page 369.)

Now suppose him to wear a false beard (see evidence in regard to that on page 379) and extra suit of clothing to give him a heavier appearance, and the description given suits that of Henrie very well. The peculiarity of very rapidly winking his eyes was strikingly observed of C. A. Henrie when on the witness-stand, especially

when becoming nervous under cross-examination. Also the fact of part of his hair coming down over one side of his forehead. Such peculiarities are of far greater importance for the purpose of identification than slight discrepancies in weight, whiskers, and age. The description of his eyes, while not strictly correct, only corroborates the testimony that he is the man. His eyes actually appear dark, when viewed from a certain distance, he standing in the shade, although they are blue.

Mr. Waldrop was able to point out Henrie in the Senate Chamber as the man whom he believed he saw on the evening of October the 18th, at Valeda, after over two years had elapsed. On the witness-stand, Mr. Waldrop stated that he would not positively swear that O. A. Henrie was the man, but to the best of his belief he was; (page 571.) The manner and appearance of Mr. Waldrop under examination stamping him as an honest and conscientious man.

A careful reading of the testimony of Samuel C. Elliott, County Attorney of Montgomery county in 1888 (pages 48, 53), and also that of O. P. Ergenbright, his successor in 1889, almost forces the conclusion that they were more desirous to prevent the finding of the guilty party than to prosecute. While pretending, through published letters, a willingness to prosecute, no one can read the testimony of O. P. Ergenbright and correspondence (pages 63-67) without becoming convinced of his desire to shield and to prevent arrest and trial.

In addition to this, read Highleyman's testimony about his efforts to prosecute, and the manner in which the officers responded (pages 242-254); and H. Vincent's testimony on pages 266, 275.

The Legislature in 1889 passed a law which made a prosecution more difficult; (page 275.)

Mr. Upham left a good home and a good position a few weeks after the explosion, while his wife and daughter were still in bed, dangerously wounded. He received \$750 from the express company for the injuries received by his family from the explosion; (page 597.) There seemed to be a studied effort in the testimony of Upham and family to hold back something.

All this leaves an impression on our minds that there was an influence brought to bear on him, which in the first place would prevent him from testifying, when the Vincents made their effort to prosecute the guilty parties; and in this investigation may have induced him to withhold certain matters.

The defense claimed an alibi for C. A. Henrie. In proof of which, see affidavit of Mrs. Lucy Barlow (page 495), also affidavit of John F. Cummings (page 448) testimony of D. O. McCray (page 446), testimony of Arthur Capper (page 463), and testimony of Frank C. Scott (pages 460 and 461).

The affidavits above referred to were secured by Henrie to be used by him in making a public denial of the charges, connecting him with the explosion at Coffeyville. The affidavit of Mrs. Barlow was secured in August, 1889, and that of Mr. Cummings in June, 1889. Mrs. Barlow lived in Kansas City at the time. Henrie and his wife made a number of trips to Kansas City, before he secured the desired affidavit.

Mr. Cummings, who is generally considered irresponsible, lives in Topeka.

Now we consider the course taken by Mr. Henrie to prove an alibi, in 1889, as very inconsistent and unnatural, if he knew, at the time of securing said affidavit, that these men, who were employes in the Topeka *Capital* office, knew that he was at work in that office on October 18, 1888.

We believe that if he had had knowledge of those facts he would have secured their affidavits, rather than of persons who are unsettled in their business, and in a measure irresponsible, one of which resided in Kansas City.

The most reasonable thing to have done, would have been to secure the affidavits

of the men with whom he claimed to have been employed on October 18th, 1888. But there is nothing in the testimony of either McCray, Capper, or Scott, which shows that there was anything said between Henrie and the above-named gentlemen as to what they knew of Henrie's whereabouts on October 18th; but one of the above, Mr. Capper, testifies that he never was asked to make an affidavit, and has not had any conversation with Henrie about the matter since the fall of 1888, until two days before he gave his testimony before the Committee.

As these three gentlemen are only positive as to one thing, namely, that Henrie was in the employ of the *Capital* office on the 18th of October, and as there are some conflicting statements regarding dates, as to Henrie's connection with the *Capital* at that time, it is possible, and highly probable, that they were mistaken in reference to the time of the issue of the *Daily Capital* in which the second expose was published.

Dates on newspapers do not always indicate correctly the day of issue. For cause, the issue may be later than the date.

D. O. McCray says that Henrie, on the 18th of October, assisted in the preparation of the matter of an expose of Videttes, to be published the next day (page 447); whereas Mr. Hutchins wrote from Topeka to Ed. P. Greer, of Winfield, on the 17th of October, "The forms are being made up" (page 96); which shows that the matter was prepared and in the State printing office previous to the 18th; also states that he will send proofs out for publication on Friday morning, but "will advise by wire to-morrow, if it is to be printed by you Thursday evening;" (page 96.)

October 18, 1888, was on Thursday. The expose was to be printed in the Winfield *Courier* on Thursday evening, the 18th, as per telegram of B. S. Hutchins; (page 96.)

The same matter that was published in the *Courier* at night, was to be published in other papers of the State the next day. It therefore seems to us that the idea of Henrie being in the *Capital* office on Thursday, the 18th of October, assisting in the preparation of the matter of the expose, is not in harmony with the other facts as indicated above; and our opinion is, that the presence of Henrie in the *Capital* office was some other time than the 18th.

In rebuttal of effort to prove an alibi for Henrie, we find the affidavit of Edwin French, who lived in the same house with Henrie; (page 178.) Also, testimony of Thomas A. Grange; (page 587.) French states that, to his positive knowledge, Henrie was not at home on October 18, 1888, nor at least for two days before the explosion, and not until notice of the explosion had appeared in the daily papers; that Henrie came home after the explosion, late at night, with gripsack in hand, as though he had been away on a journey.

On the second day after his return, a request came to the family of Mr. French, by Mrs. Barlow, for them not to mention Henrie's being at home.

Further, Mr. Grange testifies that on the 18th day of October, the day of the explosion, the men called for Henrie at his home, but could not ascertain where he was. Why this privacy if no wrong had been committed?

Also testimony of Mrs. Cougher (page 212), heretofore referred to, showing that Henrie was at a hotel in Coffeyville at some time on or about the 18th of October, 1888.

Additional proof that the managers of the Republican campaign are guilty of aiding and abetting the preparation and the sending of the box, is found in the appointment of C. A. Henrie as clerk in the Labor Bureau.

A large amount of testimony plainly showing that he had been active in opposition to the Republican party until August, 1888. The evidence also proves that on

account of his personal dishonesty, immoral habits and general want of truthfulness, he had lost the confidence and respect of his former associates; (page 583.)

His willingness to betray his associates, and to perform any disreputable act, seemed to be a high recommendation for the managers of the Republican campaign to employ him.

The evidence shows that he was employed in preparing the matter of the so-called expose. A large portion of the time, while in the employ of the Republican Central Committee, he spent in traveling to Cincinnati, New York, and different cities in Kansas, where he had ample opportunity to procure the necessary material for a dynamite explosion. See testimony of J. W. Whitley (page 179), which shows that C. A. Henrie presided over a meeting in Topeka at which Parsons, the anarchist, spoke; and that he afterward went, with a few others, to a private house, where they talked for several hours; and Parsons explained the method of preparing dynamite, and the use it might have in future conflict; (page 194.)

He admits in his testimony that he received pay for all services rendered to the Republican Central Committee at the regular price.

It seems difficult to suppose any reason for a Republican Governor to appoint C. A. Henrie to any position.

No labor organization asked for his appointment. He was not a Republican.

His personal character was such as to preclude his appointment to any position of trust or profit.

He was known to be an avowed anarchist, or at least to be in sympathy with them.

He had no recommendation from anyone, except Bion S. Hutchins and Henry Booth. And why they requested his appointment can best be judged from the testimony of Mrs. Cougher, when she states that she heard Henrie say that "they dare not refuse him"; (page 212.) It is impossible to think of any explanation of C. A. Henrie's appointment, except that he knew about the damnable plot of preparing and sending the box, and that for the purpose of keeping him silent, the position was given him. The refusal of the Legislature of 1889 to investigate the explosion seems to us a confirmation of the theory that the managers of the Republican party were connected with it.

Surely such a serious crime, accompanied by such results, openly charged to a dominant party, ought to be worthy of an investigation.

Joe P. Winton, the business manager of the *Winfield Courier*, and Sid. Cure, a Republican officer, seem to be watching and waiting around the express office on the morning of the 18th, when the box ought to have arrived at Winfield; (page 316.)

The open charges of the Vincent Brothers through the *Non-Conformist* and otherwise, that the managers of the Republican party were responsible for the explosion, finally had the effect to bring leading Republicans together in consultation about the propriety of making a denial of the charges; (page 286.)

It was determined to obtain Henrie's affidavits denying these charges.

Leland Webb was sent for by the Governor to draft the affidavit. After some conversation Webb said, "I did not know that this administration was making that kind of appointments," to which the Governor replied, "Leland, we had to do it"; (page 286.)

As to the value of this affidavit in establishing the innocence of C. A. Henrie, we let the impartial reader judge after reading testimony on page 211, where Mr. Henrie states, "I can swear to anything."

The defense have the honor (if it is an honor) of putting two witnesses on the stand who admitted that they lied for political purposes. (Dr. Rude's testimony, page 418; C. W. Henthorne, page 412.)

Ed. Greer's and Bion Hutchins's testimony abounds in distinctions between private actions and political actions, indicating that their habits of thought and action have been of such character that they have gradually lost all sense of obligation to tell the truth, or act honestly in a political way.

While we do not believe that the "purification of politics is an iridescent dream," we recognize from the testimony offered in this investigation about the methods and practices of politicians, that there is an imperative necessity for such purification.

CONCLUSION.

Our conclusions drawn from the foregoing review of testimony are, that there was a conspiracy on the part of some one to do certain things for the purpose of breaking the ranks of the Union Labor party and adding strength to the Republican party in the political campaign of the fall of 1888.

The Vidette expose was the first step in that line. This was followed by the second expose and the preparation of the box of dynamite, which would have been in Winfield, Kansas, October 19, had it not prematurely exploded in Coffeyville.

We are further of the opinion that C. A. Henrie had some connection with the preparation of, and delivered said box at Coffeyville, to be shipped by express to Winfield to be exploded somewhere; and under the excitement following the explosion a raid would probably be made on the office of the *Non-Conformist*.

We are further of the opinion that Bion S. Hutchins and Ed. P. Greer were cognizant of what was being done, if not direct participants of the same.

And further, that no man could have been appointed Commissioner of Labor who would not appoint C. A. Henrie to a position as clerk in said office.

And that said Henrie was appointed to the position which he holds to-day as a reward for the part performed by him, and to prevent him from revealing what he knows of the affair which would implicate other parties.

EZRA CARY, *Chairman.*

M. SENN.

G. W. CRUMLEY.

T. M. TEMPLETON.

REPORT OF SENATOR EDWARD CARROLL, THE DEMOCRATIC MEMBER OF THE COMMITTEE.

TOPEKA, KANSAS, May 23, 1891.

Hon. L. U. HUMPHREY, *Governor of the State of Kansas*—SIR: It is already a matter of public knowledge that the Committee appointed to investigate the so-called Coffeyville explosion has been unable to agree upon a report which in any way tends to fix the responsibility for that affair upon anyone, or to solve the mystery which surrounds it. Three reports have already been prepared and signed; one by the entire Committee, which gives a brief history of the manner in which the investigation has been conducted, a description of the explosion and some of the surrounding circumstances, and some of the theories which have been suggested to account for it; another by the Alliance members of the Committee, which has been given to the public through the newspapers; and a third, signed by the Republican members of the Committee. For convenience, I shall hereafter refer to the last two as the Republican and Alliance reports respectively.

I agree with the Republican report in some of its findings, but to some of the conclusions and matters stated I do not wish to be committed: The Alliance report contains some things to which I agree, and many statements to which I cannot conscientiously subscribe.

This Coffeyville explosion happened in the year 1888. It was charged upon the Republican party by members of the Union Labor party; and by members of the Republican party it was charged upon the Union Labor party, and upon the National Order of Videttes—a secret political organization which then existed mostly within the Union Labor party. This political party (transformed into the Alliance party) coming into power, this explosion and the charges that had been made in reference to it were considered to be of sufficient political importance to warrant a parliamentary investigation, at an expense of many thousands of dollars to the people of the State. The investigation has been had. No good has been done. No one has been shown to be guilty, and those who claimed to know so much before the investigation, when put upon the witness stand, knew nothing except what Mrs. Grundy had told them.

The general report states truthfully, that this was a political investigation—a political quarrel, in fact, between the Republican and the Alliance parties. The Democratic party, it is needless to say, is not in it. Being the only Democratic member of the Committee, belonging to neither of the interested parties, having no political friends to vindicate or enemies to punish, it is perhaps unnecessary for me to say that I can have no motive or purpose in this matter other than to wrong no one and do equal and exact justice to all.

I am in hearty sympathy with the Alliance report in its animadversions upon certain unconscionable disciples of Ananias who deliberately invent falsehoods to deceive the public for political effect, and then go upon the witness-stand and unblushingly testify to their own shame. There should be no distinction between the political and the private liar. The standard of morality should certainly be as high in those matters which affect the public weal as in those which relate to the private concerns of life.

A vast amount of evidence was introduced in the endeavor to connect the Republican managers of 1888 with the explosion, and while there was some evidence, generally of a hearsay character, which seemed to point in that direction, yet it was not sufficient, in my judgment, to show any such connection, or to establish any of the charges referred to in the resolutions creating this Committee, and I therefore agree with the special findings in the Republican report, numbered one, two, three and four, the same being found in said report under the head of "Special Findings."

The evidence shows that Mr. Henrie was an associate of the Chicago anarchist, Parsons, when the latter was in Topeka; that he was hired to go to New York and Cincinnati, in the interest of the Republican party, to help disrupt the Union Labor party, to which he ostensibly belonged, by assisting in organizing and keeping in the field the United Labor party and ticket; that he also aided in exposing the Order of Videttes, with which he was connected. It would seem that he was generally engaged in the business of betraying his associates for hire, whenever he had an opportunity.

The evidence of the witnesses, Waldrop, Mrs. Cougher, Grange, and French, would seem to indicate that Henrie might be connected with this affair; yet I cannot see how this testimony, indefinite and uncertain as it is, can stand against the testimony of reputable witnesses like McCray, Scott, and Capper, who swear positively that Henrie was in Topeka on the day of the explosion, and the testimony of Cummings, Mrs. Barlow, Booth, and Judge Reed, all indicating that he must have been in Topeka on that day.

Considering the previous character and associations of Mr. Henrie, his appointment to a position in the Labor Bureau would seem to be a suspicious circumstance. He certainly ought not to have been appointed to that position, yet that Bureau seems, from the evidence, to have been conducted as if it were a part of the Repub-

lican political machine instead of a State department; and from the standpoint of the managers who have of late years been in control of that party, it no doubt seemed fitting that he should be rewarded for the services, or supposed services, rendered by him to the Republican party, to which I have already referred.

The testimony of Leland J. Webb, if true, would seem to indicate that there was an unusual pressure brought to bear to secure the appointment of Henrie. I have no desire to comment on his testimony further than to say that there were circumstances surrounding the case which somewhat affect its credibility.

There is absolutely no evidence which in any way connects the organization known as the National Order of Videttes with this explosion, and I agree with the Alliance report in regard to that matter. I have not deciphered and read all the hieroglyphics introduced in evidence as the secret work of this order of Videttes, but so far as shown by the testimony I have discovered nothing to indicate that this organization is any more revolutionary and treasonable than that very exemplary organization known as the Patriotic Sons of America, and some others that might be mentioned. The charter, and initiation fees and dues, the salaries of the several "Supreme Cyclops," organizers, lecturers, etc., which pertain to organizations of this kind, were no doubt one of the main objects sought in the organization of the Videttes. The worst that can be said of the order, and that is bad enough, is that it is a secret political society, something so foreign to the genius of our Government that it is hard to understand how any intelligent American can be induced to ally himself with it. This is the one country where secret political organizations have no apology for an existence.

If the principles upon which any such society is founded are good, publish them to the world; if they are bad, the sooner they are repudiated and stamped out, the better for the country.

In conclusion, I have only to say that these views are submitted, leaving to the people of the State who may read the testimony to say whether my conclusions are correct and just, or otherwise.

Most respectfully yours,

EDWARD CARROLL,
Senator 3d District, and Member of Committee.

SENATE CONCURRENT RESOLUTION NO. 30,
AUTHORIZING THE COMMITTEE TO CONTINUE THE INVESTIGATION AFTER THE ADJOURNMENT OF
THE LEGISLATURE.

Whereas, The Joint Committee appointed to investigate and ascertain, if possible, the facts in relation to the explosion of dynamite which took place at Coffeyville, Kansas, October 18, 1888, has been engaged in taking testimony in and about the subject-matter of said investigation for eight days prior to March 5, 1891, and the parties who, with the consent of the Committee, have assumed the burden of establishing the charges that have been made through a certain newspaper, known as the *American Non-Conformist*, and otherwise, have not as yet rested their side of the case; while the parties against whom said charges have been made have as yet had no opportunity of introducing evidence bearing upon the subject-matter; and

Whereas, In order to give the other side a fair opportunity, it seems necessary that said Committee should continue its sessions beyond the day when the Legislature will adjourn; therefore

Resolved, by the Senate, the House concurring therein, That said Committee is hereby authorized and instructed to continue said investigation until all parties have had a fair opportunity to be heard; and that upon the conclusion of such investigation said Committee make its report, the same to be printed with evidence, to the Governor of this State, with such recommendations as the Committee may deem advisable.

Resolved, That during the continuance of said investigation, the members of said Committee be entitled to receive the same compensation allowed to members of the Legislature.

Resolved, That the proceedings and report of said Committee, when printed, be delivered to the Secretary of State, and by him distributed as follows: To each member of the Senate twenty copies, to each member of the House ten copies, to the State Historical Society five copies, and the remainder to be distributed to those who may apply therefor, as other public documents are distributed.

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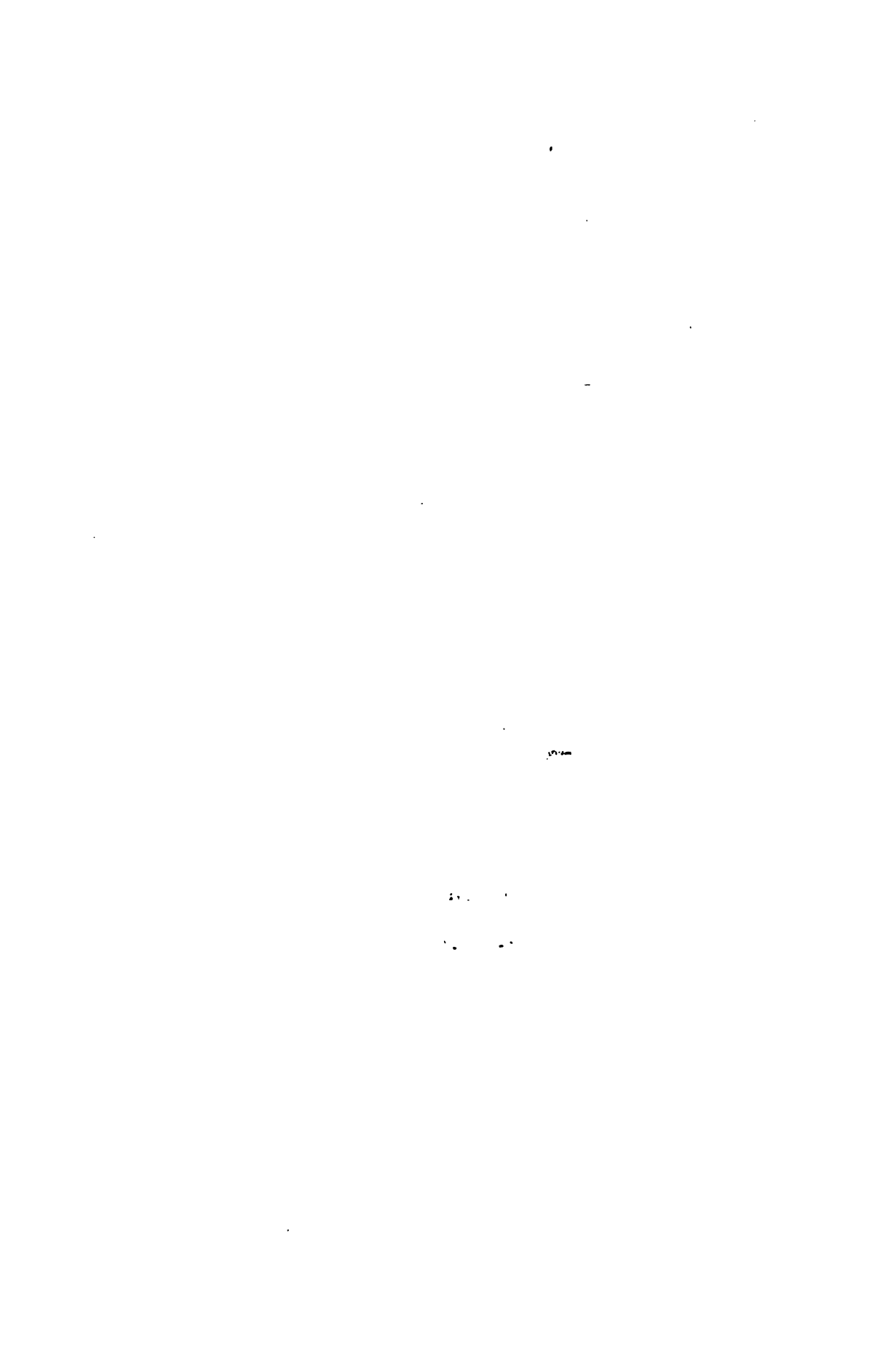
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ERRATA.

- Page 3: "Report" should read *proceedings and evidence*.
- Page 13: In 19th question, "express office" should read *depot*; in 22d question, "south" should read *north*.
- Page 16: In the answer to 6th question, "two" should read *twelve*.
- Page 23: In the answer to 17th question, "station" should read *office*.
- Page 24: In the answer to 7th question, "north" should read *west*.
- Page 30: In 16th question, "insurance" should read *incumbrance*.
- Page 39: In 2d question, "eyes" should read *hair*.
- Page 175: "February," in date line, should read *March*.
- Page 181: In the answer to 4th question, "same evening" should read *separate evenings*.
- Page 190: In the answer to 1st question, "1888" should read *1887*.
- Page 270: Answer to 8th question should read *I have not*, instead of "I have."
- Page 328: Record should show an adjournment of the Committee to March 11th, at 2 o'clock P. M.
- Page 460: In 14th question, "October 17th" should be *October 18th*.
- Page 464: In the answer to 25th question, "October 18th" should read *October 19th*.
- Page 495: In 1st question, "October 18th" should read *October 19th*.
- Page 511: "Exhibit A" should read *Exhibit 11*.



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